

**CITY OF SUNSET HILLS**

**BOARD OF ALDERMEN**

**A G E N D A**

**SEPTEMBER 13, 2016**

**7:00 P.M.**

1. Pledge of Allegiance
2. Roll Call
3. Approval of the minutes of the August 9, 2016 meeting and August 23 work session.
4. Proclaim September 17<sup>th</sup> through the 23<sup>rd</sup> "Constitution Week"
5. Presentation of banner to the Sunset Hills Police Department in support of our Police Officers by Ms. Ann Ludlow of St. Justin the Martyr Church.
6. The Foundation for Sunset Hills presentation for Kitun Dog Park pledge.
7. Requests to be heard:
  - a) Request by St. Louis Brewery LLC (Schlafly) for a temporary liquor license for the Laumeier Harvest Fest to be held on October 16, 2016.
  - b) Request by 4 Hands Brewing Company for a temporary liquor license for the Laumeier Harvest Fest to be held on October 16, 2016.
  - c) Request by Perennial Artisan Ales for a temporary liquor license for the Laumeier Harvest Fest to be held on October 16, 2016.
  - d) Request by Urban Chestnut Brewing Co., Inc. for a temporary liquor license for the Laumeier Harvest Fest to be held on October 16, 2016.
  - e) Request by Sunset Country Club for a Fireworks display on Father's Day June 18, 2017.
  - f) Request by Bed, Bath and Beyond, 10770 Sunset Plaza, for a temporary storage container to be placed behind their building from October through December, 2016.

- g) Request by St. Thomas Holy Spirit for the special event "Party at Crosspaths Park" to be held September 17, 2016 from 4-7pm.
- h) Request by Altus Properties to erect a tent at 12200/12250 Weber Hill Road for an employee barbeque on September 21, 2016.

8. PUBLIC HEARING: Establish the annual rate of tax levy for the year of 2016 on all property within the City of Sunset Hills, Missouri.

9. Old Business:

Bill No. 10 – An ordinance regarding open meetings and records policy.  
TABLED

10. City Official and Committee Reports:

- ⇒ City Clerk/City Administrator, Eric M. Sterman
- ⇒ Accounting Manager, Bill Lehmann
- ⇒ Chief of Police, William LaGrand
- ⇒ City Attorney, Robert E. Jones
- ⇒ City Engineer, Bryson Baker
- ⇒ Director of Parks & Recreation, Gerald Brown
- ⇒ Treasurer/Collector, Michael Sawicki

#### Committee Reports

- a) Finance Committee – Alderman Gau
- b) Economic Development Committee – Alderman Gau
- c) Parks & Recreation Commission – Alderman Kostial
- d) Personnel Committee – Alderman Baebler
- e) Police Advisory Board – Alderman Bersche
- f) Public Works Committee – Alderman Musich
- g) Website Committee – Alderman Baebler

11. New Business:

Bill No. 22 – An ordinance authorizing the Mayor of the City of Sunset Hills, Missouri, on behalf of the City, to execute an agreement with St. Louis County for tax collection services related to nuisance fees.  
(Request for Second reading)  
FIRST READING

Bill No. 23 – An ordinance repealing Chapter 2, Article VIII, Sections 2-231 through 2-232 of the Code to eliminate the Personnel Committee.  
FIRST READING

Bill No. 24 – An ordinance repealing Chapter 2, Article V, Sections 2-202 Through 2-210 of the Code of Ordinances and enacting new sections in lieu

thereof to establish a Planning and Zoning Commission and to provide for its composition and duties

**FIRST READING**

**Bill No. 25 – An ordinance repealing Chapter 2, Section 2-81 of the Code to eliminate the position of Deputy City Clerk/Finance Officer.**

**Resolution No. 394- A resolution approving a contract with United Healthcare for employee medical insurance and authorizing the Mayor to execute the same on behalf of the City of Sunset Hills**

**12. Requests to be heard – Non Agenda Subject**

**13. Invoices to be approved.**

**14. Appointments:**

**Sherri Schmidt - Gempp Commission to replace Mary Fischer  
Nathan Lipe- Capital Improvements Committee**

**Reappointments:**

**Jan Hoffmann- Gempp Commission  
Jim Koeger- Gempp Commission**

**15. A motion to hold a closed meeting, vote and record immediately following adjournment of the October 11, 2016 and October 25, 2016 meetings.**

**16. Request to meet in closed session pursuant to 610.21.3 RSMo to discuss personnel matters.**

**17. Adjournment**

MINUTES OF THE REGULAR MEETING  
OF THE BOARD OF ALDERMEN  
OF THE CITY OF SUNSET HILLS MISSOURI

HELD ON AUGUST 9, 2016

BE IT REMEMBERED that the Board of Aldermen of the City of Sunset Hills, Missouri met in regular session at City Hall, 3939 S. Lindbergh Blvd., in said City on Tuesday, August 9, 2016. The meeting convened at 7:00 p.m.

The meeting began with those present standing for the reciting of the Pledge of Allegiance.

**Roll Call**

**Present:** Thompson Price, Kurt Krueger, Tom Musich, Steve Bersche, Dee Baebler, Rich Gau, Mayor Fribis, Mark Colombo, Keith Kostial, Bryson Baker (Not voting), Chief William LaGrand (Not voting), Gerald Brown (Not voting), Robert E. Jones (Not voting), and Bill Lehmann (Not voting).

**Absent:** Mike Sawicki.

Plaque Presentation to Danny Searcy-Alderman Baebler recognized Danny Searcy on his Eagle Scout project recycling old bicycles.

**APPROVAL OF THE MINUTES**

Copies of the Minutes of the June 28, 2016 work session were distributed to the members for their review. Alderman Gau made a motion to accept the Minutes as corrected. Alderman Baebler seconded the motion, and was unanimously approved.

Copies of the Minutes of the July 12, 2016 board of aldermen meeting were distributed to the members for their review. Alderman Gau made a motion to accept the Minutes as read. Alderman Musich seconded the motion, and was unanimously approved.

## Requests to be heard

- a)  Request from Toys R Us for four temporary outdoor storage containers located at 3600 South Lindbergh Blvd. from August through December 31, 2016.

Mr. John Paszkiewicz, the new store manager was present and stated last year we had 3 containers approved. This year the store has a 20% increase in inventory and one additional container is requested.

Alderman Gau made a motion to approve Toys R Us temporary outdoor storage containers and Alderman Bersche seconded the motion, and it was unanimously approved.

- b) Request for temporary liquor license request from the Sunset Hills/Crestwood Chamber of Commerce for the annual Route 66 Car Festival to be held on August 13, 2016.

Mr. John Belanger, director of the Chamber of Commerce was present.

Alderman Krueger made a motion to approve the temporary liquor license and Alderman Musich seconded the motion and it was unanimously approved.

- c) Request for a liquor license from Wallis Petroleum for the location at 10743 Watson Road (currently owned by U-Gas).

Mr. Chris Graar of Wallis Petroleum was present and stated this is a change of ownership.

Alderman Musich made a motion to approve the liquor license for Wallis Petroleum and Alderman Gau seconded the motion, and it was unanimously approved.

 **PUBLIC HEARING: Amended Development Plan submitted by Michael Ax of Fred Weber Reinforced Concrete Products, Inc. to allow the demolition of an existing structure and placement of a temporary office at 12950 Gravois Road.**

Mr. Mike Ax, representative with Fred Weber, stated the company would like to place a temporary office (modular/trailer) after the demolition of the existing structure. Future plans will be construction of a permanent office building.

Alderman Baebler asked how long this temporary structure will be on this site. Mr. Ax stated approximately 5 years. Question was asked if this structure was a new trailer. Mr. Ax responded it's a complex not a single trailer; it has multiple units

connected together. Question was raised regarding the condition of the modular; Mr. Ax stated he would not accept a ragged looking one.

Alderman Gau addressed a question to Mr. Baker regarding if the city would have an issue with the timeframe of 5 years for this temporary structure. Mr. Baker stated he is justifying why he wants the structure now. An alderman commented so the plant is shuttered and time is needed to re-build. Mr. Ax replied yes.

**PUBLIC HEARING: The Board will consider an amendment to Appendix B  
Section 10.5 Non-conforming situations; damage or  
substandard conditions to allow restoration to  
condominiums developed under chapter 448 RSMO ET SEQ.**

Mayor Fribis closed the public hearing.

**Old Business**

**Bill No. 5 – An ordinance granting a Conditional Use Permit to Stephen Saladin, to construct and operate a drive-thru restaurant at 3751 South Lindbergh. READ TWICE THEN HELD OVER**

Mr. Stan Wallach, attorney, representing the residents on Sunset Chase, stated that the residents are opposed to this Conditional Use Permit. The residents did meet with the developer as requested and the result was deadlocked. The residents' biggest concern is the drive thru speaker and feels this issue is inconsistent with the neighborhood and adjoining properties. Mr. Wallach stated that the residents ask that the board votes this down.

Mr. Mike Courtois stated this is a poorly developed plan. He reviewed several newer Jimmy John's and stated none of them are in any residential neighborhood. They are usually found in strip malls. Mr. Courtois hopes the board reconsiders.

Ms. Anne McMunn stated the residents of Sunset Chase have a facebook page and she would like to read a comment from a posting. A visitor to this area stated she gave up trying to make a left turn on to Lindbergh at 3pm in the afternoon. Ms. McMunn stated that the visitor ended up turning around in the police station and then making the left turn at the light. The visitor stated she was glad she did not have to deal with this traffic on a daily basis.

Alderman Gau stated they did meet with the residents and the developer. The four major issues discussed were the drive thru, the buffer (fence, increasing the buffer), the parking (reduce the number of parking spaces) and the entrance only having one in and one out lane.

Alderman Gau made a motion to vote on this Bill #5 as presented in the plan and motion was seconded by Mark Colombo.

Mr. Saladin requested to speak to clarify some statements, the drive thru is located on the side of the building and not at the back of the property line. Mr. Saladin clarified the statement regarding Jimmy John's locations. The question is how close the homes are to major roadways or commercial zoned properties. He stated that residential properties were developed a greater distance away from major roadways which is where the majority of commercial development is found on the whole.

Mr. Saladin commented that along Lindbergh there is a sit down restaurant with a liquor license, other sit down restaurants, drive-thru dry cleaners, and a drive thru bank, all of which require a conditional use permit. These businesses adjoined the Sunset Chase subdivision in some matter.

Mayor Fribis asked for a roll call vote.

**Roll Call Vote:**

**Yes:** Kurt Krueger,

**No:** Dee Baebler, Mark Colombo, Rich Gau, Steve Bersche, Thompson Price, Tom Musich, Keith Kostial

There being 1 Aye vote and 7 Nay votes, Bill No. 5 failed.

**Bill No. 10 – An ordinance regarding open meetings and records policy  
READ TWICE THEN TABLED.**

Alderman Gau made a motion to remove Bill No. 10 from the table. Alderman Krueger seconded the motion.

**Roll Call Vote:**

**Yes:** Rich Gau, Kurt Krueger, Thompson Price

**No:** D. Baebler, Tom Musich, Steve Bersche, Keith Kostial, Mark Colombo.

There being 3 Aye votes and 5 Nay votes, the motion passed to keep bill No. 10 on the table.

Alderman Bershe asked if the City has heard anything on the ruling from the Attorney General. Attorney Jones stated he has not seen anything and this could take months. Alderman Gau inquired what exactly is the intent of this legislation. He asked why the board cannot make a decision on this. Alderman Bersche stated the board doesn't need to rush this.

Mayor Fribis stated this will carry over to the work session. Mayor Fribis has invited the Mayor of Crestwood for his thoughts on how their city is dealing with this matter.

 **Bill No. 12 – An ordinance providing for the approval of a subdivision plat for a lot split of the property at 13 Roosevelt Drive as provided in Appendix A, section 4 of the code of ordinances of the City of Sunset Hills, Missouri. READ TWICE THEN HELD OVER.**

Alderman Kostial read Bill No. 12.

Mr. Nathan Wilber of 24 Black Oak Dr. stated he received a letter from St. Louis County Historical Buildings Commission regarding the preservation of this home.

Mr. Charlie Scarlett of 11 Roosevelt Dr. which is next door to the property on Roosevelt stated he received a letter from the Thias' family and would like to clarify some of the issues. Mr. Scarlett stated that he has not taken down any live trees, only dead ones and not any from the Thias property. Regarding the trespassing issue; he stated we have always been invited and welcomed. This lot split will affect the loss of privacy, shade, and view of the forest. Mr. Scarlett asked that this proposal be rejected and it's sad the city does not have a protection policy on historical sites.

Mr. Eric Thias stated he is opposed to this land split and demolition of the home.

Ms. Megan Gauthier of 14 Roosevelt Dr. stated she is opposed to both aspects of this land split.

Ms. Lori Scarlett of 11 Roosevelt Dr. stated she is asking this lot split be turned down. Ms. Scarlett has concerns regarding the oil tank leak. She also clarified some statements presented in the letter from Thias' family.

Mr. Don Elvig of 11 Roosevelt Dr. gave some analogies on things that can be fixed and things that can't be fixed. He stated even some decisions that are made may be a mistake and can't be fixed. Mr. Elvig stated people moved into this area because of the unique qualities, spaciousness and the ecological beauty. Mr. Elvig stated please do not pass this plan.

Mr. Dennis Kohut of 12403 Robyn Road stated he has witnessed several trucks up and down the street and at the end of Roosevelt Dr. it looks like a massive eye sore. Please vote on this thoughtfully.

Ms. Nancy Thias of 1660 Ivy Chase Lane, Fenton, MO stated she has concerns about the septic tank from the Scarlett's property leaking on her property.

Ms. Linda Sachs questioned how do residents of the neighborhood dictate on what a homeowner should do with their property. Ms. Sachs is in favor of the lot split.

Mr. Gary Ploesser, surveyor with St. Louis County Surveyors, stated the planning and zoning committee approved the lot split and demolition of the home. The family has met all requirements and in regards to the trees, the family will save as many as possible. He stated the house will be removed.

Alderman Krueger had a question about the septic tanks, the usage and what is required. Mr. Ploesser said he contacted a septic tank company and the septic system will be a state of the art system. He also stated there will be two septic tanks, one on each lot.

Alderman Gau asked why the lots were not split into one acre lots. Mr. Ploesser stated this is what Ms. Thias wanted, but that the lot could be equally split. Alderman Gau commented that the septic tank company has not done any soil analysis for the individual parcels. Mr. Ploesser answered it would be approved through St. Louis County. Alderman Gau stated that the letter submitted regarding the septic system stated the existing property and repair of the existing system. Alderman Gau stated if the lot split is approved and then the septic is not permitted on the smaller lot; then what; and what if a variance is needed. Ms. Thias stated she was told it would fit.

Alderman Krueger asked Ms. Thias if she is aware of the maintenance agreements with the St. Louis County, and she answered yes. Alderman Gau directed a question regarding making a condition regarding the septic. Mr. Jones stated the ordinance already states that no variances will be given.

Mr. Baker stated that if the lot split is approved, and if the septic system is within the setback lines, which would require a variance, they still would need to petition for a variance. Mr. Jones stated a full subdivision approval is needed for a variance. He stated until this is approved and there is a building permit in place, the city would not know if the septic system would fit. Mr. Jones stated however a boundary adjustment could be approved.

Mr. Baker reiterated the house is in major disarray and the property owner stated the house would be torn down.

Alderman Bersche made a motion to approve and seconded by Alderman Price.

#### **Roll Call Vote:**

**Yes:** Mark Colombo, Thompson Price.

**No:** Dee Baebler, Keith Kostial, Kurt Krueger, Rich Gau, Steve Bersche, Tom Musich.

There being 2 Aye votes and 6 Nay votes, Bill No. 12 failed.

 **Bill No. 17 – An ordinance approving an amended development plan for Sunbelt Rentals, Inc. to add two above ground fuel tanks on the property at 13084 Gravois Road. SECOND READING**

Alderman Bershe read Bill No. 17 for a second time.

Alderman Gau made a motion to approve and was seconded by Alderman Krueger.

**Roll Call Vote:** Motion carried by unanimous roll call vote (summary: Yes = 8).

Mayor Fribis declared Bill No.17 becomes Ordinance #2016.

 **Bill No. 18 – An ordinance to amend sections 4-51 and 4-52 of the Sunset Hills City code relating to prohibited conduct for licensees authorized to dispense alcoholic beverages. SECOND READING**

Alderman Price read Bill No. 18 for a second time.

Alderman Gau made a motion to approve and seconded by Alderman Bersche.

**Roll Call Vote:** Motion carried by unanimous roll call vote (summary: Yes = 8).

Mayor Fribis declared Bill No. 18 becomes Ordinance #2017.

**CITY OFFICIAL AND COMMITTEE REPORTS**

- A. City Clerk/City Administrator – Eric Sterman stated nothing to report and is looking forward to serving this board and the City of Sunset Hills.
- B. Accounting Manager- Bill Lehmann stated the financial reports have been distributed.

- C. Chief of Police - William LaGrand stated the Sunset Hills police department facebook page will be live tomorrow.
- D. City Attorney - Robert E. Jones nothing to report but would like the board to consider reading Bill 19 twice and passing it this evening.
- E. City Engineer - Bryson Baker gave an update on the 15 Roosevelt project to clear up some issues. Mr. Sabic petitioned for a lot split and will be approved after some issues are resolved. There was a water line issue and some cul de sac repair issues. The entire property has been purchased and the house on this property will be demolished. The lot will be split and two homes will be built after approval.
- F. Director of Parks & Recreation – Gerald Brown stated the Parks will have a Pokémon go party on Friday Night at Mini Ha Ha. The annual car cruise is Saturday; parade starts at noon. Activities planned throughout the day are bands all day, kid's area, and car show (approximately 500 cars).
- G. Treasurer/Collector – Michael Sawicki was not present.

## **COMMITTEE REPORTS**

 FINANCE COMMITTEE- Alderman Gau stated the finance committee met on August 1, and the committee submitted Resolution #391 for approval on the letter of engagement with Hilltop Securities. This is the same company that was used initially on the certificates of participation. The city has an opportunity to refinance the certificates of participation; but a letter of engagement is needed to start the process.

 ECONOMIC DEVELOPMENT COMMITTEE- Alderman Baebler recapped the July meeting; discussions on the redevelopment of Watson Road, East of Lindbergh, reviewing modifications of current codes and regulations that prohibit re-development and will hold more discussion in this nature in the coming year. Next meeting will be held on August 11 at 6pm.

 PARKS & RECREATION COMMITTEE- Alderman Kostial stated the pool will have reduced hours for the rest of the summer. The park will have Sunday Sunset Serenades, at the Community Center; food trucks will be available and bring your lawn chairs. The schedule is September 11, Ambassadors of Swing on September 18, Crucial Roots, and September 25, Shadow Play.

PERSONNEL COMMITTEE- Alderman Baebler stated Mr. Sterman is reviewing the Sunset Hills personnel manual.

POLICE ADVISORY BOARD- Alderman Bersche stated the police advisory board did not meet because of lack of quorum.

PUBLIC WORKS COMMITTEE- Alderman Musich stated nothing to report.

WEBSITE COMMITTEE- Alderman Baebler stated nothing to report.

### New Business

 **Bill No. 19 – An ordinance amending Chapter 18, article 1 Section 1 with respect to alternative Community Service. FIRST READING**

Alderman Price read Bill No. 19 for a first reading. Alderman Gau made a motion to suspend the rules for a second reading. Alderman Colombo seconded the motion.

**Yes:** Dee Baebler, Keith Kostial, Kurt Krueger, Mark Colombo, Rich Gau, Steve Bersche, Thompson Price, Tom Musich.

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 8).

Alderman Price read Bill No. 19 for a second time. Alderman Krueger made a motion to approve and seconded by Alderman Gau.

**Yes:** Dee Baebler, Keith Kostial, Kurt Krueger, Mark Colombo, Rich Gau, Steve Bersche, Thompson Price, Tom Musich.

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 8).

Mayor Fribis declared Bill No. 19 becomes Ordinance # 2018.

 **Bill No. 20 – An ordinance approving an amended development plan for Fred Weber Reinforced Concrete Products, Inc. to allow demolition of an existing structure and placement of a temporary office space on the property at 12950 Gravois Road. FIRST READING**

Alderman Baebler read Bill No. 20 for a first reading. Alderman Gau made a motion to suspend the rules for a second recording. Alderman Price seconded the motion.

**Yes:** Dee Baebler, Kurt Krueger, Mark Colombo, Rich Gau, Steve Bersche, Thompson Price

**No:** Tom Musich, Keith Kostial

**Vote:** Motion declined, must be a unanimous vote on a second reading, (summary: Yes=6, No =2) and will be read a second time next month.

 **Bill No. 21 – An ordinance amending section 10.5 of Appendix B of the Code respect to restoration of damage or substandard conditions affecting non-conforming structures. (Petitioner has requested Second Reading)**

Alderman Krueger read Bill No. 21 for a first reading. Alderman Krueger made a motion to suspend the rules. Alderman Gau seconded the motion.

**Yes:** Dee Baebler, Keith Kostial, Kurt Krueger, Mark Colombo, Rich Gau, Steve Bersche, Thompson Price, Tom Musich.

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 8).

Alderman Krueger read Bill No. 19 for a second time. Alderman Krueger made a motion to approve and seconded by Alderman Gau.

**Yes:** Dee Baebler, Keith Kostial, Kurt Krueger, Mark Colombo, Rich Gau, Steve Bersche, Thompson Price, Tom Musich.

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 8).

Mayor Fribis declared Bill No. 21 becomes Ordinance # 2019

**Resolution No. 391 – A resolution approving a letter of engagement for Hilltop Securities to serve as underwriter for a refunding of the series 2009 Certificates of Participation.**

Alderman Colombo read Resolution No. 391. Motion to approved Resolution No. 391 made by Alderman Gau and seconded by Alderman Musich and motion was unanimously approved.

 **REQUESTS TO BE HEARD (NON-AGENDA)**

Mr. Cliff Underwood commented on the Request to Speak time limit and Sunset Hills estate sales.

Mr. Michael Vienhage, part-owner of Mellow Mushroom, gave an updated on the road condition of Chrisann road. The partners have set aside \$2500.00 for road repairs and the repairs have been done. Mr. Vienhage stated a sign will be installed stating no access to restaurant from Chrisann.

### **INVOICES TO BE APPROVED**

Alderman Gau made a motion to approve payment of the invoices. Alderman Bersche seconded the motion, and it was unanimously approved.



### **APPOINTMENTS**

- a) Denis Knock-Capital Improvement Committee
- b) Bruce Studer-Capital Improvement Committee
- c) Mike Fitzgerald-Capital Improvement Committee
- d) Debra Schiavo- Economic Development Committee

Motion was made by Alderman Gau to approve all four appointments and seconded by Alderman Baebler and it was unanimously approved.

**Reappointments** –none

### **A MOTION TO HOLD A CLOSED MEETING**

Alderman Musich made a motion to hold a closed meeting with closed votes and records immediately after adjournment of the September 13, 2016 and September 27, 2016 meetings. Alderman Krueger seconded the motion.

**Yes:** Dee Baebler, Keith Kostial, Kurt Krueger, Mark Colombo, Rich Gau, Steve Bersche, Thompson Price, Tom Musich.

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 8).

Alderman Gau made a motion to adjourn the meeting. The motion was seconded by Alderman Bersche and it was unanimously approved, meeting adjourned at 9:10 pm.

Recording Secretary



DRAFT

MINUTES OF THE WORK SESSION  
OF THE BOARD OF ALDERMEN  
OF THE CITY OF SUNSET HILLS MISSOURI  
HELD ON AUGUST 23, 2016

BE IT REMEMBERED that the Board of Aldermen of the City of Sunset Hills, Missouri met in a work session at City Hall, 3939 S. Lindbergh Blvd., in said City on Tuesday, August 23rd, 2016. The meeting convened at 6:00 p.m.

The meeting began with those present standing for the reciting of the Pledge of Allegiance.

**Roll Call**

**Present:** Thompson Price, Kurt Krueger, Tom Musich, Steve Bersche, Dee Baebler, Rich Gau, Mayor Fribis, Mark Colombo, Keith Kostial (via goto meeting), Bryson Baker (Not voting), Gerald Brown (Not voting), Robert E. Jones (Not voting), and Eric Sterman (not voting).

**Bill No. 20 -- An ordinance approving an amended development plan for Fred Weber Reinforced Concrete Products, Inc. to allow demolition of an existing structure and placement of temporary office space on the property at 12950 Gravois Road SECOND READING**

Alderman Bersche read Bill No. 20 for a second reading. Alderman Gau made a motion to approve Bill No. 20 and Alderman Musich seconded the motion. Motion was unanimously passed.

**Vote:** Motion passed (**summary:** Yes = 7, No = 1, Abstain = 0).

**Yes:** Dee Baebler, Keith Kostial, Mark Colombo, Rich Gau, Steve Bersche, Thompson Price, Tom Musich.

**No:** Kurt Krueger.

Mayor Fribis declared Bill No. 20 to become Ordinance #2020.

**Resolution No. 392-Budget Amendment –Parks Bandstand**

Mr. Gerald Brown explained that at the recent car cruise held in Sunset Hills, the operator of this band wagon stated it was for sale. The cost is \$9500.00. Mr. Brown stated the funds would come from the capital budget. Mr. Brown feels this would be a great amenity for the City to use for band concerts, award ceremonies, triathlons, 5K and day camp, etc. He also stated this could be rented to other municipalities to help recoup costs. He stated it needs a little sprucing up and not a lot of maintenance is required.

Alderman Gau asked where this band stand would be stored. Mr. Brown answered by the park maintenance facility down by the pool under the covered shelter. Alderman Colombo asked how often it would be used in a year's time. Mr. Brown stated two or three times.

Alderman Gau had some concerns regarding spending \$10,000. Other city departments could put this money to better use, and the band wagon was not projected in the five year capital plan. A suggestion was made to possibly do concerts in the park like other municipalities do, get a couple of food trucks and move around to the different parks in the city. Mr. Brown said the park staff would maintain the wagon. A question was raised on how much a new one would cost, Mr. Brown replied \$125,000 to \$150,000. Alderman Krueger asked how old this one is. Mr. Brown replied approximately 18-20 years old.

Alderman Gau asked Mr. Brown if his department needed to spend \$10,000 would this be a high priority. Mr. Brown stated no. Alderman Colombo stated he feels this wagon would be a good asset for the city.

Alderman Bersche made a motion to approve the purchase of the park's band stand and Alderman Colombo seconded the motion.

**Vote:** Motion passed (**summary:** Yes = 6, No = 2, Abstain = 0).

**Yes:** Dee Baebler, Keith Kostial, Mark Colombo, Steve Bersche, Thompson Price, Tom Musich.

**No:** Kurt Krueger, Rich Gau.

### **Resolution No. 393- Contract with L. F. Krupp Construction, Inc. for road improvements on West Watson**

Alderman Price read Resolution No. 393.

 Mr. Baker spoke on the West Watson road improvement project. This has been in the works for 4 years and is an STP grant (federal highway) through MoDOT. It's behind schedule and hopefully is finished by the end of the year. Mr. Baker stated this is the same company who did the Kennerly road project and they did a good job on Kennerly. It's under budget, and would like it approved.

Motion to approve Resolution #393 made by Alderman Krueger and seconded by Alderman Price and motion was unanimously approved.

### **Presentation from HR Sheevam regarding Days Inn site**

 Mr. Sheevam, owner of the Days Inn, stated he would like to redevelop this site. Mr. Sheevam referred to the overhead projector showing the first phase of the re-development and comparing it to the aerial view of the site as it stands now. The development plan shows the parking lot and green space, buffering allowed by the city. He also presented pictures of the new lobby entrance and breakfast area.

Mr. Sheevam stated he has been guaranteed funds for this redevelopment which expires in December and would like to have this closed before then.

Alderman Gau inquired about the noise level coming from Helen Fitzgerald's next door. The first floor will be the breakfast area and meeting rooms. Mr. Sheevam stated he is relying on the engineers to sound proof the 2nd-4th floors. Mayor Fribis asked how many rooms are in the new building. Mr. Sheevam answered 70 rooms. Both motels would be run at the same time. The Days Inn will be demolished by 2018-2019, and will either incorporate a new retail area or another new hotel.

Alderman Baebler asked about the other hotel brands and their height limits. Mr. Sheevam explained some won't consider a building under 6 stories or less than 50 feet. Mr. Sheevam stated Sunset Hills needs a higher end hotel. A discussion ensued regarding different brands and future new brands being developed.

### **Discussion of overlay districts/zoning code re-writes**

 Mr. Sterman addressed and answered some questions regarding overlay districts and the re-write of the zoning codes. Mr. Jones distributed two handouts, one from the City of Ballwin regarding their overlay district regulations. Mr. Jones clarified that an overlay district is not a separate zoning designation. Mr. Jones defined several topics from both handouts.

 **Review of the Public Works Committee-** Mayor Fribis stated that at each work session a committee will be reviewed to insure that the rules of the City ordinances are being followed. Mr. Jones referred to the board packet, and explained four areas of this handout. Mayor Fribis stated that one alderman from each ward is represented on the public works committee. Mr. Baker stated everything required in the ordinance is being followed and going in the right direction. Mayor Fribis stated next month will be the Police Advisory Board.

 **Discussion of motel heights-** Mr. Baker recapped some of the districts height requirements. Mr. Baker stated the city has the tools to get to the heights of some of these hotels. Mr. Baker stated some issues would be how close the hotel would be to a residential area. Hotel owners like a smaller foot print so that they may go higher.

Mr. Jones stated there is draft of an ordinance to change the height in the PD-BC district in your packet which has not yet been adopted. Mr. Jones stated he could have this ready for the September meeting. Mr. Baker stated this is only for the PD-BC district where the Holiday Inn is located.

Alderman Krueger asked if set backs were being increased. Mr. Baker replied no. Alderman Krueger asked if Days Inn would do a higher building at the back side of the property would there be two changes to the code. Mr. Baker said depends on how high the building would be.

 **Discussion of parking ordinances for commercial developments-** Mr. Sterman explained this issue was brought up regarding the proposed Jimmy John's plan and eliminating some parking spaces to increase buffering. Mr. Sterman stated if parking spaces were removed Mr. Saladin would be out of compliance with our codes as they are currently written.

Mr. Baker explained how parking spaces are calculated and the minimum amount of spaces Mr. Saladin would definitely need to have for each business he is proposing. The loading space is much higher than other cities around us. Other cities have one we have four, this could be adjusted down to one or two. Alderman Baebler asked how we are compared to other municipalities regarding parking. Mr. Baker stated we are over parked especially in retail. When the code gets re-done this will be something that will be addressed. The codes will be changed city wide, and not just for an individual business.

**Discussion on video conferencing bill-** Mayor Fribis asked for any comments. Mayor Fribis stated she contacted Crestwood and received information on their video conferencing and will email the information to the board.

 **Discussion on flood buyout properties-** Mr. Baker stated there are three properties deemed damaged and the property cannot be improved without demolishing the property. One home is still eligible for a severe repetitive loss plan so if this grant is awarded then the City would own this property. A question was asked if the other two do not receive the grant what happens to the property. Mr. Baker stated the homeowners would have to improve the property or have it demolished. Mr. Baker stated there is help available for these owners to have their homes demolished.

**Discussion of Mellow Mushroom/Chrisann Lane** – Mr. Sterman stated some issues have been raised since they opened and hopefully can be resolved properly before their permanent occupancy permit is granted. The first is the condition of the street being returned to the original condition prior to construction. The owners were present at the last board meeting, and stated they have spent \$2500.00 to have the road fixed. Mr. Baker stated the road looks as good as it was when construction started.

Mr. Jones read the conditions and stated the owners have met their obligation. A discussion among the aldermen on what the road looks like now, and some aldermen would like more repairs.

Mr. Sterman also addressed the refrigerated trailer parked onsite. Mr. Sterman explained that their business has been very good and that they are requesting this trailer to stay until Aug. 31. Mr. Baker stated the permit can be extended an additional 45 days if needed.

Alderman Baebler asked if there is any proof the whole \$2500.00 has been spent on road improvements. Mr. Sterman stated that proof is available. Alderman Gau stated there are still a couple of potholes that need to be fixed.

Mr. Vienhage and Mr. Burke, owners of Mellow Mushroom were present and stated the construction companies were instructed not to use Chrisann, but it happened anyway. Mr. Burke stated \$2500.00 was used to put the road back to its original condition prior to construction. Mr. Burke stated he has receipts and the pot holes have been fixed and there may be a few more, but the road is old. However, we never agreed to put in a new road and we have met our obligation and Mr. Vienhage also agreed. Alderman Baebler thanked them for handling the neighbors in a nice manner.

## **General Discussion**

### **Appointment**

- a). Tom Powers-Planning and Zoning Committee-replacing Dan Werner.

Motion was made by Alderman Musich and seconded by Dee Baebler and unanimously approved.

## **Deer Committee**

Motion was made Alderman Gau and seconded by Alderman Bersche to disband the Deer Committee and was unanimously approved.

## **Discussion of tornado property**

Alderman Gau spoke about a recent conceptual plan on homes for the corner lot of Court Drive and thought this was an interesting concept to keep it residential. He stated he has heard some comments that the city does not need another bank and to keep this area residential. A discussion ensued regarding getting residents' feedback and possibly having an open forum with the aldermen to discuss this plan. Alderman Baebler stated the residents prefer single standing homes and not villas or attached homes.

Mayor Fribis asked if a public hearing could be held to hear the residents' comments, developers could answer questions and drawings could be displayed. Mr. Baker said an open house would allow the developers to show their plans and answer questions. A discussion was held on when this public meeting will take place, meeting place and getting the word out.

## **Jimmy Johns Development**

Alderman Krueger asked what status the Jimmy John's development is in. Mayor Fribis said he didn't pass; Mr. Saladin could not get rid of 9 parking spaces. Mayor Fribis stated the developer could re-submit a new development. Mr. Sterman stated the code amendments that would be needed the process of approval. Mr. Sterman said the board might want to consider preparing these amendments and bringing them for consideration.

Alderman Krueger stated he felt the board might have been misled regarding the volume coming from the speakers. He drove by two Jimmy John's in residential areas and observed the drive thru; I also videotaped it and could not hear if any noise. I stood behind a vinyl fence less than 75 feet from the speaker and could not hear it from Chippewa. He feels this is a non-issue, especially since they met all of the conditions.

Another alderman stated he also went to a Jimmy John's and didn't think the speaker was an issue.

Mr. Jones stated the city could reconstitute the city's planning and zoning commission to a statutory planning and zoning commission so that the Mayor and an aldermanic representative serves on. That allows having two representatives on the

planning and zoning commission that participates in the discussion and makes the board's view point made known earlier in the process.

Mayor Fribis stated from what she is hearing is the aldermen will do this and do that to allow this, but the issue is does the city want a Jimmy John's on Lindbergh with a drive thru. Alderman Bersche said I thought it was a compromise with the neighbors to see what they want. Alderman Gau stated at the meeting with the residents there was no compromise on the drive thru or traffic. Alderman Bersche stated something will be on Lindbergh and Jimmy John's does not create the volume of traffic like the other drive thru restaurants do.

Alderman Kostial referenced a Starbucks issue in DesPeres where the owner went to St. Louis County Circuit Court to issue the permit in order for the Starbucks to locate there. Mr. Jones stated it's a different set of zoning circumstances. Mayor Fribis stated some communities do not allow drive thru restaurants.

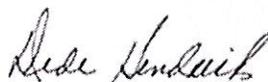
Alderman Bersche stated what this board can do to move this along. Alderman Baebler stated this was voted down and the developer needs to submit a new plan.

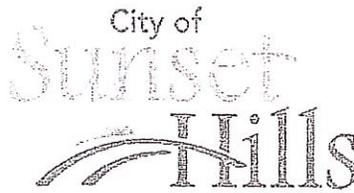
Alderman Price stated he would like communication, emails, any input, inquiries be directed to the City Administrator instead of the Board. Alderman Gau stated Mr. Sterman has been doing a good job communicating with all of the aldermen.

### **Adjournment**

A motion to adjourn was made by Alderman Price and seconded by Alderman Baebler and was unanimously approved. The meeting adjourned at 8:48 pm.

Recording Secretary





RECEIVED  
AUG 17 2016  
CITY OF SUNSET HILLS

3939 SOUTH LINDBERGH BOULEVARD  
SUNSET HILLS, MISSOURI 63127

PHONE: (314) 849-3400  
FAX: (314) 849-8110  
www.sunset-hills.com

**TEMPORARY LIQUOR LICENSE APPLICATION**

The undersigned hereby makes application to the City of Sunset Hills Board of Aldermen for a temporary license to sell:

Please check appropriate box below:

- 1. **Not For Profit** liquor by the drink for consumption on the premises where sold

There shall be a limited permit to sell liquor by the drink for consumption on the premises where sold for a church, school, civic, service, fraternal, veteran, political or charitable club or organization at a picnic, bazaar, fair or other special event gathering. Such permit shall only be issued for the day or days specified and **shall not be for more than seven (7) days per fiscal year.**

For such a permit, the licensee shall pay fifty dollars (**\$50.00**)  
And make a deposit in the amount of three hundred fifty dollars (**\$350.00**)

Which represents approximately eight (8) man hours of traffic control and police supervision. Any unexpended portion of the aforesaid deposit shall be refunded to the licensee after no other sales of intoxicating occur as a result of the event. Any additional cost incurred, in excess of three hundred fifty dollars (\$350.00), shall be billed to the licensee and paid.

- 2. **For Profit** liquor by the drink for consumption on the premises where sold

There shall be a limited permit to sell liquor by the drink for consumption on the premises where sold for a for-profit entity at a picnic, bazaar, fair or other special event gathering. Such permit shall only be issued for the day or days specified and **shall not be for more than seven (7) days per fiscal year.**

For such a permit, the licensee shall pay one hundred fifty dollars (**\$150.00**)  
And make a deposit in the amount of three hundred fifty dollars (**\$350.00**)

*CR # 52157.  
- Special # 52156.*

Which represents approximately eight (8) man hours of traffic control and police supervision. Any unexpended portion of the aforesaid deposit shall be refunded to the licensee after no other sales of intoxicating occur as a result of the event. Any additional cost incurred, in excess of three hundred fifty dollars (\$350.00), shall be billed to the licensee and paid.

**\*\*License Fees and Deposit Fees shall be submitted in two separate payments**

Business Name The Saint Louis Brewery, LLC  
Address of business 2100 Locust St.  
State MO Zip Code 63103 Phone No. 314-359-9536  
E-MAIL ADDRESS lmirelli@schlafly.com

Applicant hereby agrees that if a permit or license is granted upon this application, that applicant or any officer, agent, employee or servant of applicant will not violate any provision of the ordinances of the City of Sunset Hills or any law of the State of Missouri while in or upon the premises of the applicant herein described, nor allow any other person so to do.

Applicant hereby agrees that if the applicant or any of the officers, agents, servants or employees of the applicant shall violate any of the provisions of said ordinances, or the Act of the General Assembly of the State of Missouri, under the authority of which said ordinances were adopted, or any other law of the State of Missouri or ordinance of the City of Sunset Hills, Missouri, relating to the regulation, control, sale, manufacture, possession, transportation or distribution of intoxicating liquor, or fails to obtain and at all times have a license from the State Supervisor of Liquor Control of Missouri, or shall have made or there shall have been made in applicant's behalf a false affidavit in applying for this license, the Board of Aldermen of the City of Sunset Hills may revoke any permit or license issued upon this application in the manner now or hereafter provided by ordinance

Applicant states with reference to ownership of the business that:

a) The owner(s) of the business to be carried on at the location referred to herein is (are)

\_\_\_\_\_

whose phone number(s) is are \_\_\_\_\_

b) If a partnership, the names of all partners \_\_\_\_\_

c) If a corporation, the names of all principal officers Wesley Jones, John Lemkemeier, Spencer Finney Jr., Daniel Kopman \_\_\_\_\_

Wesley Jones, John Lemkemeier, Spencer Finney Jr., Daniel Kopman

The registered agent's name and address are \_\_\_\_\_

Lauren Mirelli

The person signing this application is the applicant or the Managing Officer

of applicant and has power and authority to make this application and affidavit.

Number of days requested for temporary liquor license 1.00

Location where temporary sales are to be made Laumeier Sculpture Park, 12580 Rott Rd., Sunset Hills, MO 63127

Hours of operation 11 AM to 5 PM

Missouri Sales Tax ID# 21545481

Missouri Secretary of State registration # LC1190529

Applicant hereby states that: No permit issued by the City of Sunset Hills, Missouri, or by the Supervisor of Liquor Control of the State of Missouri under the Acts of the General Assembly of Missouri has been revoked or suspended.

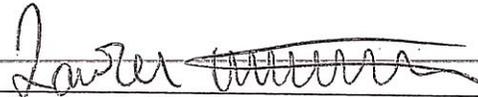
That affiant, or manager in charge of the business in Sunset Hills, Missouri, has not been convicted, since the ratification of the 21st Amendment of the Constitution of the United States, or a violation of the provisions of any law applicable to the manufacture or sale of intoxicating liquor and the applicant does not employ or has not employed in his business any person whose license has been revoked or who has been convicted of violating the provisions of any such law since the date afore-said.

That affiant, or manager in charge of the business in Sunset Hills, Missouri, has not been convicted of any misdemeanor or felony under the laws of the United States, the State of Missouri, or any other state.

That applicant, or applicant's agents and employees, will not violate any law of the State of Missouri, or ordinance of the City of Sunset Hills, nor allow any other person to violate any law in this State or City while in or upon the premises herein; applicant(s) acknowledges that he (it, they) is (are) familiar with the ordinances of the City of Sunset Hills regulating the sale of liquor.

Lauren Mirelli

Applicant's Name (printed or typed)



Applicant's Signature

Subscribed and sworn before me, \_\_\_\_\_

\_\_\_\_\_

City Clerk's Signature

Date of Aldermanic approval:

\_\_\_\_\_



3939 SOUTH LINDBERGH BOULEVARD  
SUNSET HILLS, MISSOURI 63127

PHONE: (314) 849-3400  
FAX: (314) 849-8110  
www.sunset-hills.com

**TEMPORARY LIQUOR LICENSE APPLICATION**

The undersigned hereby makes application to the City of Sunset Hills Board of Aldermen for a temporary license to sell:

Please check appropriate box below:

1. **Not For Profit** liquor by the drink for consumption on the premises where sold

There shall be a limited permit to sell liquor by the drink for consumption on the premises where sold for a church, school, civic, service, fraternal, veteran, political or charitable club or organization at a picnic, bizarre, fair or other special event gathering. Such permit shall only be issued for the day or days specified and **shall not be for more than seven (7) days per fiscal year.**

For such a permit, the licensee shall pay fifty dollars (\$50.00)  
And make a deposit in the amount of three hundred fifty dollars (\$350.00).

Which represents approximately eight (8) man hours of traffic control and police supervision. Any unexpended portion of the aforesaid deposit shall be refunded to the licensee after no other sales of intoxicating occur as a result of the event. Any additional cost incurred, in excess of three hundred fifty dollars (\$350.00), shall be billed to the licensee and paid.

2. **For Profit** liquor by the drink for consumption on the premises where sold

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**\*\*License Fees and Deposit Fees shall be submitted in two separate payments**

Business Name 4 Hands Brewing Co

Address of business 1220 S 8<sup>th</sup> St.

State MO Zip Code 63104 Phone No. 314-780-1714

E-MAIL ADDRESS LSchorck@4handsbrewery.com  
liz@4handsbrewery.com

Applicant hereby agrees that if a permit or license is granted upon this application, that applicant or any officer, agent, employee or servant of applicant will not violate any provision of the ordinances of the City of Sunset Hills or any law of the State of Missouri while in or upon the premises of the applicant herein described, nor allow any other person so to do.

Applicant hereby agrees that if the applicant or any of the officers, agents, servants or employees of the applicant shall violate any of the provisions of said ordinances, or the Act of the General Assembly of the State of Missouri, under the authority of which said ordinances were adopted, or any other law of the State of Missouri or ordinance of the City of Sunset Hills, Missouri, relating to the regulation, control, sale, manufacture, possession, transportation or distribution of intoxicating liquor, or fails to obtain and at all times have a license from the State Supervisor of Liquor Control of Missouri, or shall have made or there shall have been made in applicant's behalf a false affidavit in applying for this license, the Board of Aldermen of the City of Sunset Hills may revoke any permit or license issued upon this application in the manner now or hereafter provided by ordinance

Applicant states with reference to ownership of the business that:

a) The owner(s) of the business to be carried on at the location referred to herein is (are)

1220 S 8<sup>th</sup> St., St. Louis, MO 63104

whose phone number(s) is are 314.308.7414

b) If a partnership, the names of all partners Kevin Lemp, Bob Glatz, Mark Brown, Steve Swyers, Blake Dunlap, Jeff Brandt

c) If a corporation, the names of all principal officers \_\_\_\_\_

The registered agent's name and address are Kevin Lemp  
3918 Flora Place, St. Louis, MO 63110

The person signing this application is the applicant or the Event Manager  
of applicant and has power and authority to make this application and affidavit.

Number of days requested for temporary liquor license 1

Location where temporary sales are to be made Laumeier Sculpture Park

Hours of operation Sunday, October 16<sup>th</sup> 2016 11am-5pm

Missouri Sales Tax ID# 27-4746432

Missouri Secretary of State registration # LC110846

Applicant hereby states that: No permit issued by the City of Sunset Hills, Missouri, or by the Supervisor of Liquor Control of the State of Missouri under the Acts of the General Assembly of Missouri has been revoked or suspended.

That affiant, or manager in charge of the business in Sunset Hills, Missouri, has not been convicted, since the ratification of the 21st Amendment of the Constitution of the United States, or a violation of the provisions of any law applicable to the manufacture or sale of intoxicating liquor and the applicant does not employ or has not employed in his business any person whose license has been revoked or who has been convicted of violating the provisions of any such law since the date afore-said.

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That applicant, or applicant's agents and employees, will not violate any law of the State of Missouri, or ordinance of the City of Sunset Hills, nor allow any other person to violate any law in this State or City while in or upon the premises herein; applicant(s) acknowledges that he (it, they) is (are) familiar with the ordinances of the City of Sunset Hills regulating the sale of liquor.

Lauren Schork  
Applicant's Name (printed or typed)



Applicant's Signature

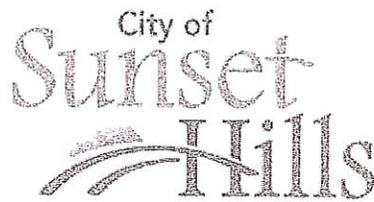
Subscribed and sworn before me, \_\_\_\_\_

\_\_\_\_\_

City Clerk's Signature

Date of Aldermanic approval:

\_\_\_\_\_



3939 SOUTH LINDBERGH BOULEVARD  
SUNSET HILLS, MISSOURI 63127

PHONE: (314) 849-3400  
FAX: (314) 849-8110  
www.sunset-hills.com

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Please check appropriate box below:

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And make a deposit in the amount of three hundred fifty dollars (**\$350.00**)

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2. For Profit liquor by the drink for consumption on the premises where sold

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For such a permit, the licensee shall pay one hundred fifty dollars (**\$150.00**) <sup>OK #100642</sup>  
And make a deposit in the amount of three hundred fifty dollars (**\$350.00**) <sup>OK #100643</sup>

Which represents approximately eight (8) man hours of traffic control and police supervision. Any unexpended portion of the aforesaid deposit shall be refunded to the licensee after no other sales of intoxicating occur as a result of the event. Any additional cost incurred, in excess of three hundred fifty dollars (\$350.00), shall be billed to the licensee and paid.

**\*\*License Fees and Deposit Fees shall be submitted in two separate payments**

Business Name Perennial artisan ales  
Address of business 8125 Michigan  
State MO Zip Code 63111 Phone No. 314.750.9205  
E-MAIL ADDRESS kath@perennialbeer.com

Applicant hereby agrees that if a permit or license is granted upon this application, that applicant or any officer, agent, employee or servant of applicant will not violate any provision of the ordinances of the City of Sunset Hills or any law of the State of Missouri while in or upon the premises of the applicant herein described, nor allow any other person so to do.

Applicant hereby agrees that if the applicant or any of the officers, agents, servants or employees of the applicant shall violate any of the provisions of said ordinances, or the Act of the General Assembly of the State of Missouri, under the authority of which said ordinances were adopted, or any other law of the State of Missouri or ordinance of the City of Sunset Hills, Missouri, relating to the regulation, control, sale, manufacture, possession, transportation or distribution of intoxicating liquor, or fails to obtain and at all times have a license from the State Supervisor of Liquor Control of Missouri, or shall have made or there shall have been made in applicant's behalf a false affidavit in applying for this license, the Board of Aldermen of the City of Sunset Hills may revoke any permit or license issued upon this application in the manner now or hereafter provided by ordinance

Applicant states with reference to ownership of the business that:

a) The owner(s) of the business to be carried on at the location referred to herein is (are)

Phil and Emily Wymore  
whose phone number(s) is are 314.810.9902

b) If a partnership, the names of all partners \_\_\_\_\_

c) If a corporation, the names of all principal officers \_\_\_\_\_

The registered agent's name and address are \_\_\_\_\_

The person signing this application is the applicant or the \_\_\_\_\_

of applicant and has power and authority to make this application and affidavit.

Number of days requested for temporary liquor license 1 (Sunday, October 16, 2016)

Location where temporary sales are to be made Lumiere Sculpture Park

Hours of operation 11am - 5pm

Missouri Sales Tax ID# 21201366

Missouri Secretary of State registration # LL1083228

Applicant hereby states that: No permit issued by the City of Sunset Hills, Missouri, or by the Supervisor of Liquor Control of the State of Missouri under the Acts of the General Assembly of Missouri has been revoked or suspended.

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Phil Wymore  
Applicant's Name (printed or typed)

[Signature]  
Applicant's Signature

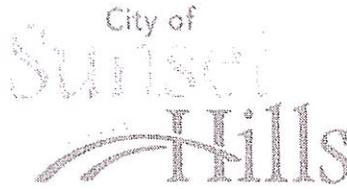
Subscribed and sworn before me, 21 day of July, 2016.

[Signature]  
City Clerk's Signature

Commission Expires 05-18-2020

Date of Aldermanic approval:





RECEIVED

AUG 31 2016

CITY OF SUNSET HILLS

3939 SOUTH LINDBERGH BOULEVARD  
SUNSET HILLS, MISSOURI 63127

PHONE: (314) 849-3400  
FAX: (314) 849-8110  
www.sunset-hills.com

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Please check appropriate box below:

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For such a permit, the licensee shall pay one hundred fifty dollars (**\$150.00**) *CK# 7975*  
And make a deposit in the amount of three hundred fifty dollars (**\$350.00**) *CK# 7976*

Which represents approximately eight (8) man hours of traffic control and police supervision. Any unexpended portion of the aforesaid deposit shall be refunded to the licensee after no other sales of intoxicating occur as a result of the event. Any additional cost incurred, in excess of three hundred fifty dollars (\$350.00), shall be billed to the licensee and paid.

**\*\*License Fees and Deposit Fees shall be submitted in two separate payments**

Business Name Urban Chestnut Brewery Co.  
Address of business 4465 Manchester Ave. St. Louis  
State MO Zip Code 63110 Phone No. 314-222-0143  
E-MAIL ADDRESS ryan@urbanchestnut.com

Applicant hereby agrees that if a permit or license is granted upon this application, that applicant or any officer, agent, employee or servant of applicant will not violate any provision of the ordinances of the City of Sunset Hills or any law of the State of Missouri while in or upon the premises of the applicant herein described, nor allow any other person so to do.

Applicant hereby agrees that if the applicant or any of the officers, agents, servants or employees of the applicant shall violate any of the provisions of said ordinances, or the Act of the General Assembly of the State of Missouri, under the authority of which said ordinances were adopted, or any other law of the State of Missouri or ordinance of the City of Sunset Hills, Missouri, relating to the regulation, control, sale, manufacture, possession, transportation or distribution of intoxicating liquor, or fails to obtain and at all times have a license from the State Supervisor of Liquor Control of Missouri, or shall have made or there shall have been made in applicant's behalf a false affidavit in applying for this license, the Board of Aldermen of the City of Sunset Hills may revoke any permit or license issued upon this application in the manner now or hereafter provided by ordinance

Applicant states with reference to ownership of the business that:

a) The owner(s) of the business to be carried on at the location referred to herein is (are)

\_\_\_\_\_ whose phone number(s) is are \_\_\_\_\_

b) If a partnership, the names of all partners \_\_\_\_\_

c) If a corporation, the names of all principal officers David Wolfe, Florian Kuplent,  
Jon Shine

The registered agent's name and address are David Wolfe,  
755 RADCLIFFE AVE, UNIVERSITY CITY, MO 63130

The person signing this application is the applicant or the employee  
of applicant and has power and authority to make this application and affidavit.

Number of days requested for temporary liquor license 1

Location where temporary sales are to be made Laumeier Sculpture Park 12580 Reft Rd.  
St. Louis, MO  
63127

Hours of operation 11am - 5pm

Missouri Sales Tax ID# 20926529

Missouri Secretary of State registration # 01007062 10/29/2009



August 10, 2016

Sunset Country Club  
9555 S. Geyer Road  
Sunset Hills Mo 63127

Sunset Hills City Hall  
Alderman Mr. Keith Kostial  
Alderman Mr. Kurt Krueger  
Sunset Hills Mo 63127

Re: Request for fireworks display permit

Gentlemen:

We are requesting permission to conduct a fireworks display on our property for Father's Day June 18<sup>th</sup> 2017. This display will be purchased, choreographed, set up and operated by licensed professionals. We will also apply for permits with the Fire Department and the Fire Marshall will inspect the areas prior to event and most likely will remain on site during the display.

The reason we are making this application at this time is that we usually purchase the fireworks display around 9 months ahead of time to secure our vendor and his display team. The display is anticipated to last approximately ten minutes.

Thank you for your consideration of this request and could you please let me know if I need complete any other additional request or provide more information.

Respectfully

Walt Boncek  
Facility Maintenance Director  
Sunset Country Club

**From:** EMAIL460/Stores/BBBY  
*Sent by: William Eggers/Shared/Stores/BBBY*

**To:**

**Date:** Thursday, August 11, 2016 10:09AM

**Subject:**

---

Attention: Lynn Sprick

RE: Letter of request for storage unit for Bed Bath and Beyond.

Lynn,

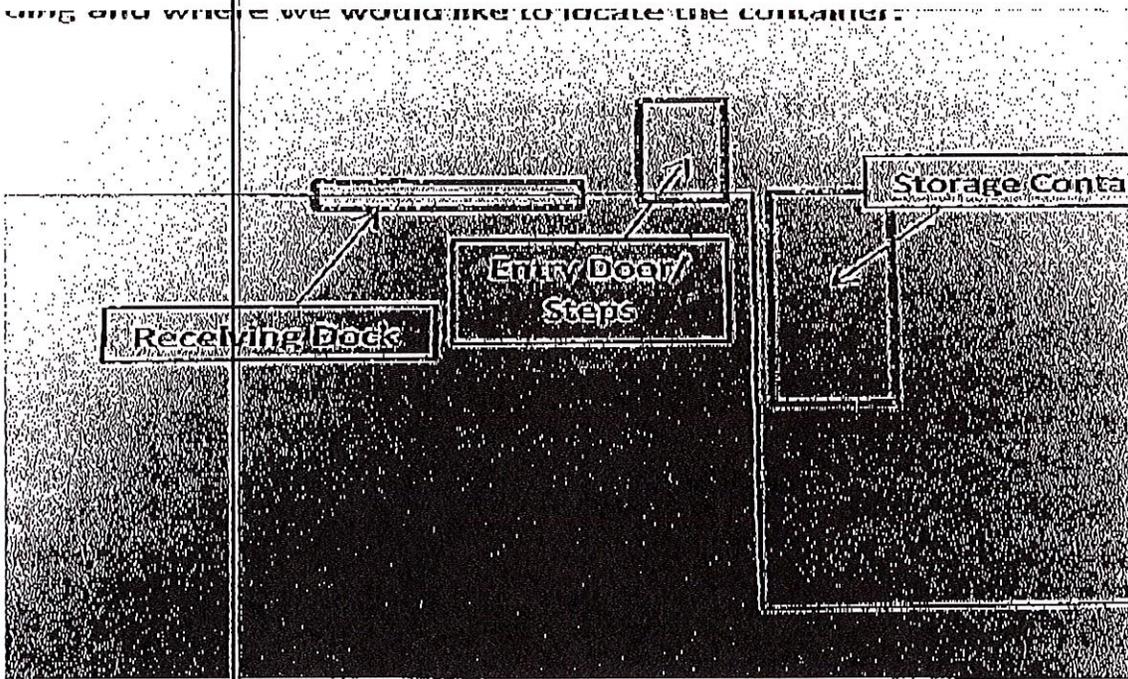
Thank you for the response back yesterday and I am faxing the letter of request for storage unit along with a map showing the area it would be placed. Please let me know if I need to provide anything else.

Sincerely,

Jeff Hartman  
Operations Manager  
Sunset Hills  
Bed Bath and Beyond  
314-821-2502

Dear Mayor Patricia A. Fribis and Sunset Hills Board Of Alderman,

My name is Jeff Hartman and I am the Operations Manager at Bed Bath and Beyond in Sunset Hills. I am writing to request permission for a storage container to be placed behind our building for the months of Oct, Nov and Dec. Our levels of inventory increase extensively during the holidays season and during these months we are unable to store it all inside the building. I am also sending a copy of a map showing the placement of the unit if we are granted the permission.



We appreciate the consideration and the Board of Alderman's time.

Sincerely,

Jeff Hartman

Operations Manager

Bed Bath and Beyond

Sunset Hills, Missouri



SPECIAL EVENT REQUEST FORM

Site Plan Provided - A site plan of the property shall be attached to this form upon submittal

Name of event: Party @ Crosspaths Park Date to be held: Sept 17, 2016

Day of week: Saturday Time: 4-7pm

Brief description of event: community party - games, food trucks, live music, bounce house (all free except food trucks)

Will music be provided at event? yes Hours of music: 3-30min sets 4-7p

Are tents to be erected? yes - pop up Number of tents: 1-2?

Indicate on site plan approximate location of tents to be erected

Anything over 700 sf requires approval from the appropriate fire district

How many vendors will be participating in this event: 2 food trucks - Destination Desserts & MK Wraps & Rolls

Will alcohol be served: NO

Will there be signage required: yes - w/ private What type and location: sandwich board signs w/ balloons @ parking lot entrance

Indicate on site plan approximate location of signage to be erected

How many people are anticipated to attend this event: approx 200

How will you address parking and site access: parking on site - on our lot

Will there be temporary restrooms? NO - church Bldg open

Indicate on site plan approximate location of temporary restrooms if applicable

How will security be handled? church members / staff

How will traffic control be handled? sandwich board signs directing & church members directing traffic flow

A representative must attend the meeting to answer any questions the Board of Aldermen may have

All tents and signage must be removed from premises within 24 hours of the event ending.

Fee: \$100

To be completed by City of Sunset Hills :

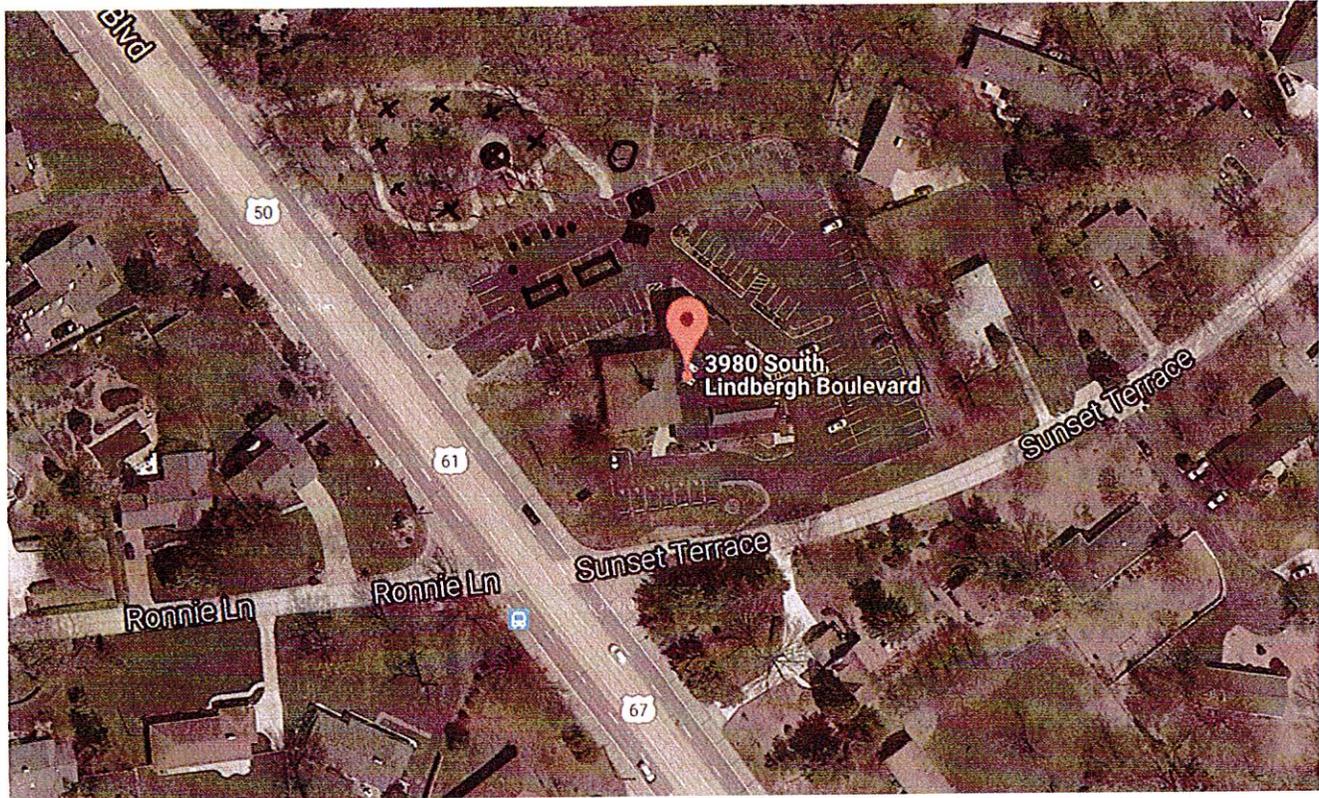
Board of Aldermen meeting date: \_\_\_\_\_

What permits and licenses will be required? \_\_\_\_\_

Will a certificate of insurance be required? \_\_\_\_\_

# 3980 S Lindbergh Blvd

3980 S Lindbergh Blvd, St. Louis, MO 63127



- x = games along path in green area/park
- ☐ ☐ • food trucks in parking lot
- ■ = tent site
- = Bounce House
- ⊗ = music on "stage" in park
- = tables & chairs

"Site plan" for Party @ Crosspaths Park  
Sept 17, 2016 4-7pm

## Lori Stone

---

**From:** klindleywegman@aol.com  
**Sent:** Tuesday, September 06, 2016 5:10 PM  
**To:** lstone@sunset-hills.com  
**Subject:** Party @ Crosspaths Park - Saturday, Sept 17, 2016

Lori:

Thank you for speaking with me a couple of weeks ago about our plans for a community event at St Thomas-Holy Spirit Lutheran Church.

We are planning this (almost) free community event on our property at 3890 S Lindbergh Blvd. We will have live music, a bounce house, games & activities for all ages -- everything is free of charge -- except food & drink. Food trucks will be selling food & drink-- MK's Rolls & Wraps and Destination Desserts. (I have emailed them to let them know to contact you for \$15 permit)

This will be our 2nd annual "Party @ Crosspaths Park" and will be Saturday afternoon, Sept 17, 2016 from 4 to 7 pm.

If there is additional information needed -- or questions about the event, please don't hesitate to contact me at 314-740-1674 (call or text) or [klindleywegman@aol.com](mailto:klindleywegman@aol.com).

Again, thank you for your assistance in making sure we've "covered all our bases." We hope you can come out & join us for the party!

Blessings,  
Karen Wegman  
Evangelism Team  
St Thomas Holy Spirit Lutheran Church



SPECIAL EVENT REQUEST FORM

Site Plan Provided - A site plan of the property shall be attached to this form upon submittal

Name of event: ALTUS PROPERTIES Date to be held: 9.21.16
Day of week: WEDNESDAY Time: 9:00AM - 3:00PM
Brief description of event: EMPLOYEE BBQ

Will music be provided at event? NO Hours of music: N/A
Are tents to be erected? YES Number of tents: 1

Indicate on site plan approximate location of tents to be erected
Anything over 700 sf requires approval from the appropriate fire district

How many vendors will be participating in this event: 1

Will alcohol be served: NO
Will there be signage required: NO What type and location: N/A

Indicate on site plan approximate location of signage to be erected

How many people are anticipated to attend this event: 200

How will you address parking and site access: PRIVATE ON SITE PARKING

Will there be temporary restrooms? NO

Indicate on site plan approximate location of temporary restrooms if applicable

How will security be handled? N/A EMPLOYEE PICNIC

How will traffic control be handled? N/A EMPLOYEE PARKING

A representative must attend the meeting to answer any questions the Board of Aldermen may have

All tents and signage must be removed from premises within 24 hours of the event ending.

Fee: \$100

To be completed by City of Sunset Hills :
Board of Aldermen meeting date:
What permits and licenses will be required?

Will a certificate of insurance be required?

# P U B L I C   H E A R I N G   N O T I C E

NOTICE IS HEREBY GIVEN THAT AT 7:00 P.M. ON TUESDAY, SEPTEMBER 13, 2016 A PUBLIC HEARING WILL BE HELD BY THE BOARD OF ALDERMEN IN THE ROBERT C. JONES CHAMBERS OF CITY HALL, 3939 S. LINDBERGH BOULEVARD, SUNSET HILLS, MISSOURI, AT WHICH CITIZENS MAY BE HEARD ON THE PROPERTY TAX RATES PROPOSED TO BE SET BY THE CITY OF SUNSET HILLS, A POLITICAL SUBDIVISION. THE TAX RATES SHALL BE SET TO PRODUCE REVENUES WHICH THE BUDGET FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2016, SHOWS TO BE REQUIRED FROM THE PROPERTY TAX. EACH TAX RATE IS DETERMINED BY DIVIDING THE AMOUNT OF REVENUE REQUIRED BY THE CURRENT ASSESSED VALUATION. THE RESULT IS MULTIPLIED BY 100 SO THE TAX RATE WILL BE EXPRESSED IN CENTS PER \$100 VALUATION.

ASSESSED VALUATION (BY CATEGORY)	CURRENT TAX YEAR 2016	PRIOR TAX YEAR 2015
REAL ESTATE		
RESIDENTIAL	\$220,689,140	\$211,545,540
AGRICULTURAL	\$ 122,520	\$ 122,520
COMMERCIAL	\$ 94,710,100	\$ 98,260,040
PERSONAL PROPERTY	\$ 45,513,501	\$ 44,126,327

GENERAL FUND	AMOUNT OF PROPERTY TAX REVENUE BUDGETED FOR 2016	PROPOSED 2016 TAX RATE ( \$100 )**
REAL ESTATE		
RESIDENTIAL	\$121,379	\$.055
AGRICULTURAL	\$ 69	\$.056
COMMERCIAL	\$ 51,143	\$.054
PERSONAL PROPERTY	\$ 27,308	\$.060

\*\*SUBJECT TO THE LIMITATIONS OF THE STATUTORY AND CONSTITUTIONAL PROVISIONS OR POSSIBLE ROLLBACK.

TABLED

BILL NO. 10

1ST READING 6-14-16

ORDINANCE NO. \_\_\_\_\_ 2ND READING 7-12-16

**AN ORDINANCE REGARDING OPEN MEETINGS AND RECORDS POLICY**

WHEREAS, the Board of Aldermen ("Board") of the City of Sunset Hills, State of Missouri ("City") finds and declares that there is reason to believe that it needs to amend the Ordinance regarding open meetings and records policy;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF SUNSET HILLS, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

Section 1. Article II, Division 2 of the Code of Ordinances shall be amended by adding new Sections 2-34 and 2-35 as follows:

Sec. 2-34. Journal of Minutes and Record of Voting.

A journal or minutes of open and closed meetings shall be taken and retained by the public governmental body, including but not limited to a record of any votes taken at such meetings. The minutes shall include the date, time, place, members present, members absent and a record of any votes taken. When a roll call vote is taken, the minutes shall attribute each "yea" and "nay" or abstinence if not voting to the name of the individual member of the public governmental body. Any votes taken during a closed meeting shall be taken by roll call. All public meetings shall be open to the public and public votes and public records shall be open to the public for inspection and duplication. Except as otherwise provided in Section 2-35, all votes taken by roll call in meetings of the Board shall be cast by members of the Board who are physically present and in attendance at the meeting. When it is necessary to take votes by roll call in a meeting of the Board, due to an emergency of the public body, with a quorum of the members physically present and in attendance and less than a quorum of the members participating via telephone, facsimile, Internet, or any other voice or electronic means other than video conference pursuant to Section 2-35, the nature of the emergency of the public body justifying that departure from the normal requirements shall be stated in the minutes. Where such emergency exists, the votes taken shall be regarded as if all members were physically present and in attendance at the meeting.

Sec. 2-35.

A. *Policy Statement.* While it is legally permissible for members of the City's public governmental bodies to attend meetings and vote via videoconference transmission, a member's use of videoconference attendance should occur only sparingly. Because it is good public policy for citizens to have the opportunity to meet with their elected officials face to face, elected members of a public governmental body should endeavor to be physically present at all meetings. The primary purpose of attendance by videoconference connection should be to accommodate the public governmental body as a whole to allow meetings to occur when circumstances would otherwise prevent the physical attendance of a quorum of the body's

members. A secondary purpose of attendance by videoconference should be to ensure that all members may participate in business of the public governmental body that is emergency or highly important in nature and arose quickly so as to make attendance at a regular meeting practically impossible. Except in emergency situations, all reasonable efforts should be expended to ensure that a quorum of the members of the public governmental body be physically present at the normal meeting place of the body.

B. *Videoconference Defined.* For purposes of this Section, "videoconference" or "videoconferencing" shall refer to a means of communication where at least one (1) member of a public governmental body participates in the public meeting via an electronic connection made up of three (3) components: (1) a live video transmission of the member of the public governmental body not in physical attendance; (2) a live audio transmission allowing the member of the public governmental body not in physical attendance to be heard by those in physical attendance; and (3) a live audio transmission allowing the member of the public governmental body not in physical attendance to hear those in physical attendance at a meeting. If at any time during a meeting one (1) or more of the elements of a videoconference becomes compromised (e.g., if any participants are unable to see, hear, or fully communicate), then the videoconference participant is deemed absent, and this absence should be reflected in the minutes.

C. *Frequency of Use of Videoconference Attendance.* Unless otherwise approved by the members in physical attendance at a meeting, a member of a public governmental body shall not attend more than three (3) meetings via videoconference in a rolling twelve-month period. Attendance via videoconference should only occur sparingly and for good cause. Such good cause shall include reasons such as serious illness or injury of the member or a member of his or her immediate family, including father or mother, spouse, sibling, child, or grandchild.

D. *Physical Location.* The City shall provide at the posted physical meeting location communication equipment consisting of an audio and visual display, and a camera and microphone so that the member(s) participating via videoconferencing, the members of the public governmental body in physical attendance, and the public in physical attendance may actively participate in the meeting in accordance with rules of meeting decorum. The communication equipment at the physical location of the meeting should allow for all meeting attendees to see, hear, and fully communicate with the videoconferencing participant.

E. *Voting.* Members of a public governmental body attending a public meeting of that body via videoconference are deemed present for purposes of participating in a roll call vote to the same effect as elected members of a public governmental body in physical attendance at a public meeting of that governmental body are deemed present. If any component of the videoconference communication fails during the meeting, the member attending the meeting by videoconference whose connection failed shall be deemed absent immediately upon such failure. If the public governmental body was in the act of voting, the voting shall stop until all of the components of videoconference attendance are again restored and the videoconference participant's presence is again noted in the minutes, or the member is determined to be absent.

F. *Closed Meetings.* In a meeting where a member of a public governmental body is participating via videoconferencing and the meeting goes into a closed session, all provisions of Missouri law and City ordinances relating to closed sessions apply. Upon the public governmental body's vote to close the meeting, all members of the general public shall not be present. Likewise, a member of a public governmental body participating via videoconferencing must ensure there are no members of the public present at his or her location to see, hear, or otherwise communicate during the closed session. The member must also take all reasonable precautions to guard against interception of communication by others.

G. *Minutes.* In any open or in closed session, the minutes taken should reflect the member, if any, participating via videoconference, the members in physical attendance, and members, if any, absent.

H. *Emergency Meetings and Quorum.* In addition to the provisions of Section 2-34, in the event that emergency circumstances prevent the members of a public governmental body to physically attend, the body may meet and vote by videoconference without the requirement that a quorum be physically present in the same place. Examples of such emergency circumstances include, but are not limited to, war, riot, terrorism, widespread fire, or natural disaster such as earthquake, tornado, hurricane, flood or blizzard. To the extent reasonably possible in such circumstances, the public governmental body shall use reasonable efforts to cause a physical location to be provided for public attendance and participation. The nature of the emergency shall be recorded in the minutes. If no emergency exists, a quorum of the public governmental body shall be physically present at the physical location for which notice of a meeting is provided.

Section 2. This Ordinance shall be in full force and effect from and after its passage by the Board and approval by the Mayor. Any ordinances inconsistent with this Ordinance are hereby repealed.

PASSED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.

\_\_\_\_\_  
MAYOR

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.

\_\_\_\_\_  
MAYOR

ATTEST: \_\_\_\_\_  
DEPUTY CITY CLERK

Fellow City Officials,

As the regime pushes forward with their agenda, with regards to videoconferencing, please see attached and keep in mind the following: Governor Nixon's veto of the proposed amendment to section 610.015 (voting via videoconferencing) was based on his concern "no limit is placed on the number of meetings a member could attend by videoconference. Nothing in the legislation would prevent officials from attending every meeting by videoconference."

The Missouri legislature nevertheless overrode the Governor's veto. As it stands, as a matter of state law, officials can vote via videoconferencing **WITHOUT LIMITATION**. You cannot prohibit voting by videoconferencing. Imposing frequency limits is prohibiting voting by videoconferencing.

The Missouri Municipal League's "sample" language captures the Governor's concern by inserting frequency limits. However, it does not take a lawyer to see that such frequency limits are in contravention to state law. Frequency limits are an attempt to re-write the law and should be rejected. If limitations are to be imposed, that is the job of the Missouri legislature. Imposing limitations specifically rejected by the state legislature is beyond the authority of Sunset Hills and certainly beyond the scope the Missouri Municipal League.

But Richmond Heights did it, so why can't we? Just because someone else does something without thought does not make it right. St. Louis County's "minimum police standards" ordinance is a good, recent example of legislative over-reaching by local government in "trying to do the right thing." The County thought minimum police standards was a good idea (it is) and would benefit the County (it would), but the County tried to exercise authority in contravention to state law. Here, like Governor Nixon, the majority of the Board of Aldermen apparently think frequency limitations are a good idea and would benefit the City. Even so, the Missouri legislature has specifically addressed this issue. If challenged, a videoconferencing ordinance with frequency limitations would be found in contravention to state law.

What is the limit on potential abuse or what would "prevent officials from attending every meeting by videoconference"? As Governor Nixon notes, "Nothing in this legislation..." We live in a democracy and you guys are "elected" officials. Dare I state the obvious: The practical "limit" is called an election.

Kind regards,  
Keith A. Kostial  
Alderman Ward 3



GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

JEREMIAH W. (JAY) NIXON  
GOVERNOR

P.O. Box 720  
(573) 751-3222

July 2, 2013

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Senate Bill No. 170 entitled:

AN ACT

To repeal section 610.015, RSMo, and to enact in lieu thereof one new section relating to the participation by members of public governmental bodies in roll call votes.

I disapprove of Senate Bill No. 170. My reasons for disapproval are as follows:

Under current law, public governmental bodies comprised entirely of elected members must physically attend meetings in order to cast a vote on matters under consideration. Members may participate in the meetings "via phone, facsimile, Internet, or any other voice or electronic means" but they may not cast any votes unless the meeting is called due to an emergency. Existing law emphasizes the duty appropriately imposed on elected officials to physically attend meetings and should not be changed.

Senate Bill No. 170, the stated purpose of which is to increase the opportunity for full participation by elected officials through videoconferencing, does not include any safeguards to protect against abuses that would have the opposite result. Under the bill, any member of an elected governmental body may participate and vote in public meetings via videoconference without demonstrating good cause for doing so. While it may be understandable to provide this tool to accommodate the occasional scheduling conflict, no limit is placed on the number of meetings a member could attend by videoconference. Nothing in this legislation would prevent officials from attending every meeting via videoconference. In fact, the bill would not prohibit every member of an elected board from attending all meetings via videoconference.

The statutory requirement that members of elected boards be physically present to vote represents the paramount responsibility they have been entrusted with by the voters. This provides assurances that our elected officials are, at a minimum, approachable and available to their constituents at public meetings. It also ensures their active engagement in the topics at hand

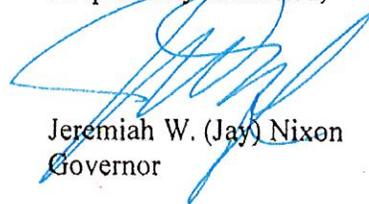
and provides an environment for open interaction and dialogue with colleagues, staff and the public in order to develop compromise and navigate difficult decisions.

Technology has bridged geographical gaps connecting citizens from all corners of our state to accomplish great work. But for local governmental bodies, the distances are quite short and easily navigated. Local government is designed to provide citizen representation that is close to home and readily accountable to its residents. Allowing attendance through videoconferencing places unnecessary and unwarranted 'virtual' distance between voters and their elected officials. Residents wishing to speak and interact with their elected officials would be forced to do so using video screens and broadband wires.

Serving in elected public office is a privilege and attending regularly scheduled public meetings is an important component of that service. Allowing elected members to join every public meeting by videoconference is not an acceptable proxy for responsible governance. Requiring elected members to be physically present is a small and reasonable obligation placed on office holders. Removing that requirement erodes this very basic level of engagement we must expect from our officials.

In accordance with the above stated reasons for disapproval, I am returning Senate Bill No. 170 without my approval.

Respectfully submitted,



Jeremiah W. (Jay) Nixon  
Governor

July 5, 2016

Missouri Attorney General Chris Koster  
Supreme Court Building  
207 W. High Street  
Jefferson City, MO 65101

Dear Attorney General Koster,

This letter is my formal request for an opinion of the law in my role as a representative of constituents who live within the boundaries of the 15<sup>th</sup> senatorial district.

My constituent, Keith Kostial, who currently serves as an alderman in a statutory fourth class city within my district, is seeking to clarify the legal right to attend and vote via video conference on any aldermanic and other governmental meetings that he is required to attend in his role as alderman.

Specifically, my request is to answer the question, "Whereas, 610.015, RSMo allows roll call votes to be cast by elected members of a public governmental body who are attending by video conferencing, with no limit upon the number of meetings that may be attended or votes that may be taken by video conferencing, and may a fourth class city enact an ordinance limiting the number of meetings an alderman may attend by video conferencing, and may a fourth class city enact an ordinance limiting the number of meetings an alderman may attend by video conferencing to a three in a 12-month period?"

I have attached background information on this request for your review.

Please let me know if you have any further questions, and what the timeline is in answering this request.

Thank you.

Yours truly,

A handwritten signature in black ink that reads "Eric S. Schmitt". The signature is written in a cursive style with a large, stylized "E" and "S".

ERIC S. SCHMITT

Attchmts.

Red line Draft.  
1 of 4

BILL NO. 10

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE REGARDING OPEN MEETINGS AND RECORDS POLICY**

WHEREAS, the Board of Aldermen ("Board") of the City of Sunset Hills, State of Missouri ("City") finds and declares that there is reason to believe that it needs to amend the Ordinance regarding open meetings and records policy;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF SUNSET HILLS, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

Section 1. Article II, Division 2 of the Code of Ordinances shall be amended by adding new Sections 2-34 and 2-35 as follows:

Sec. 2-34. Journal of Minutes and Record of Voting.

A journal or minutes of open and closed meetings shall be taken and retained by the public governmental body, including but not limited to a record of any votes taken at such meetings. The minutes shall include the date, time, place, members present, members absent and a record of any votes taken. When a roll call vote is taken, the minutes shall attribute each "yea" and "nay" or abstinence if not voting to the name of the individual member of the public governmental body. Any votes taken during a closed meeting shall be taken by roll call. All public meetings shall be open to the public and public votes and public records shall be open to the public for inspection and duplication. Except as otherwise provided in Section 2-35, all votes taken by roll call in meetings of the Board shall be cast by members of the Board who are physically present and in attendance at the meeting. When it is necessary to take votes by roll call in a meeting of the Board, due to an emergency of the public body, with a quorum of the members physically present and in attendance and less than a quorum of the members participating via telephone, facsimile, Internet, or any other voice or electronic means other than video conference pursuant to Section 2-35, the nature of the emergency of the public body justifying that departure from the normal requirements shall be stated in the minutes. Where such emergency exists, the votes taken shall be regarded as if all members were physically present and in attendance at the meeting.

Sec. 2-35.

A. *Policy Statement.* While it is legally permissible for members of the City's public governmental bodies to attend meetings and vote via videoconference transmission, a member's use of videoconference attendance should occur only sparingly. Because it is good public policy for citizens to have the opportunity to meet with their elected officials face to face, elected members of a public governmental body should endeavor to be physically present at all meetings. The primary purpose of attendance by videoconference connection should be to accommodate the public governmental body as a whole to allow meetings to occur when circumstances would otherwise prevent the physical attendance of a quorum of the body's

members. A secondary purpose of attendance by videoconference should be to ensure that all members may participate in business of the public governmental body that is emergency or highly important in nature and arose quickly so as to make attendance at a regular meeting practically impossible. Except in emergency situations, all reasonable efforts should be expended to ensure that a quorum of the members of the public governmental body be physically present at the normal meeting place of the body. Except in emergency situations, all reasonable efforts should be made by a member to inform the Mayor and City Administrator at least two working days prior to the meeting of the member's intent to attend by videoconference connection.

B. *Videoconference Defined.* For purposes of this Section, "videoconference" or "videoconferencing" shall refer to a means of communication where at least one (1) member of a public governmental body participates in the public meeting via an electronic connection made up of three (3) components: (1) a live video transmission of the member of the public governmental body not in physical attendance; (2) a live audio transmission allowing the member of the public governmental body not in physical attendance to be heard by those in physical attendance; and (3) a live audio transmission allowing the member of the public governmental body not in physical attendance to hear those in physical attendance at a meeting. If at any time during a meeting one (1) or more of the elements of a videoconference becomes compromised (e.g., if any participants are unable to see, hear, or fully communicate), then the videoconference participant is deemed absent, and this absence should be reflected in the minutes.

C. *Frequency of Use of Videoconference Attendance.* Unless otherwise approved by the members in physical attendance at a meeting, a member of a public governmental body shall not attend more than three (3) meetings via videoconference in a rolling twelve-month period. Attendance via videoconference should only occur sparingly and for good cause. Such good cause shall include reasons such as serious illness or injury of the member or a member of his or her immediate family, including father or mother, spouse, sibling, child, or grandchild.

D. *Physical Location.* The City shall provide at the posted physical meeting location communication equipment consisting of an audio and visual display, and a camera and microphone so that the member(s) participating via videoconferencing, the members of the public governmental body in physical attendance, and the public in physical attendance may actively participate in the meeting in accordance with rules of meeting decorum. The communication equipment at the physical location of the meeting should allow for all meeting attendees to see, hear, and fully communicate with the videoconferencing participant.

E. *Voting.* Members of a public governmental body attending a public meeting of that body via videoconference are deemed present for purposes of participating in a roll call vote to the same effect as elected members of a public governmental body in physical attendance at a public meeting of that governmental body are deemed present. If any component of the videoconference communication fails during the meeting, the member attending the meeting by videoconference whose connection failed shall be deemed absent immediately upon such failure. If the public governmental body was in the act of voting, the voting shall stop until all of the

components of videoconference attendance are again restored and the videoconference participant's presence is again noted in the minutes, or the member is determined to be absent.

F. *Closed Meetings.* In a meeting where a member of a public governmental body is participating via videoconferencing and the meeting goes into a closed session, all provisions of Missouri law and City ordinances relating to closed sessions apply. Upon the public governmental body's vote to close the meeting, all members of the general public shall not be present. Likewise, a member of a public governmental body participating via videoconferencing must ensure there are no members of the public present at his or her location to see, hear, or otherwise communicate during the closed session. The member must also take all reasonable precautions to guard against interception of communication by others.

G. *Minutes.* In any open or in closed session, the minutes taken should reflect the member, if any, participating via videoconference, the members in physical attendance, and members, if any, absent.

H. *Emergency Meetings and Quorum.* In addition to the provisions of Section 2-34, in the event that emergency circumstances prevent the members of a public governmental body to physically attend, the body may meet and vote by videoconference without the requirement that a quorum be physically present in the same place. Examples of such emergency circumstances include, but are not limited to, war, riot, terrorism, widespread fire, or natural disaster such as earthquake, tornado, hurricane, flood or blizzard. To the extent reasonably possible in such circumstances, the public governmental body shall use reasonable efforts to cause a physical location to be provided for public attendance and participation. The nature of the emergency shall be recorded in the minutes. If no emergency exists, a quorum of the public governmental body shall be physically present at the physical location for which notice of a meeting is provided.

Section 2. This Ordinance shall be in full force and effect from and after its passage by the Board and approval by the Mayor. Any ordinances inconsistent with this Ordinance are hereby repealed.

PASSED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2016.

\_\_\_\_\_  
MAYOR

APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2016.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
DEPUTY-CITY CLERK/CITY ADMINISTRATOR

**POLICE MONTHLY STATISTICS**  
**SUNSET HILLS POLICE DEPARTMENT**  
**AUGUST 2016**

Chief of Police William E. LaGrand

<b>PART 1 CRIMES</b>	<b>ACTUAL OFFENSES</b>	<b>YEAR TO DATE</b>	<b>PRIOR YTD</b>
Murder	0	0	1
Arson	0	1	0
Rape	0	0	2
Robbery	0	2	0
Assault	0	2	7
Burglary	0	4	20
Larceny	11	78	126
Motor Vehicle Theft	2	5	3
<b>GRAND TOTAL</b>	<b>13</b>	<b>92</b>	<b>159</b>

<b>TRAFFIC</b>	<b>TOTAL</b>	<b>YTD</b>	<b>PRIOR YTD</b>
Miles Patrolled	21,363	162,947	126,945
Traffic Stops	316	2,269	2,790
Traffic Tickets	370	2,520	2,576
Auto Accidents Reports	82	604	523
Motorists Assisted	90	728	680

<b>INVESTIGATIONS</b>	<b>TOTAL</b>	<b>YTD</b>	<b>PRIOR YTD</b>
Offenses & Incidents	80	625	609
Supplemental Reports	50	204	238
Arrests	61	444	458
Value of Stolen Property	24,744	104,054	245,927
Vacation House Checks	24	207	232

# POLICE MONTHLY STATISTICS BY WARD

## SUNSET HILLS POLICE DEPARTMENT

AUGUST 2016

PART 1 CRIMES	WARD 1	WARD 2	WARD 3	WARD 4	ACTUAL OFFENSES
Murder	0	0	0	0	0
Arson	0	0	0	0	0
Rape	0	0	0	0	0
Robbery	0	0	0	0	0
Assault	0	0	0	0	0
Burglary	0	0	0	0	0
Larceny	5	5	0	1	11
Motor Vehicle Theft	1	1	0	0	2
<b>GRAND TOTAL</b>	<b>6</b>	<b>6</b>	<b>0</b>	<b>1</b>	<b>13</b>

**City of Sunset Hills  
Public Works Department  
Report of City Engineer/Public Works Director**

**AUGUST 2016**

**Permits Issued**

<b><u>Permit Type</u></b>	<b><u>Quantity Issued</u></b>
<b>Building</b>	<b>29</b>
<b>Excavation</b>	<b>16</b>
<b>Occupancy - Residential</b>	<b>15</b>
<b>Occupancy - Commercial</b>	<b>0</b>
<b>Sign</b>	<b>1</b>

City of Sunset Hills  
Department of Parks & Recreation  
Status Report  
August 9<sup>th</sup> – September 6<sup>th</sup>, 2016

TO: Mayor and Board of Alderman DT: September 6<sup>th</sup>, 2016

FR: Gerald Brown, RE: Status Report  
Director of Parks & Recreation

**Park Maintenance**

- Tasks being completed at Minnie Ha Ha Park:
  - Working on bid packets for athletic field lights.
- Tasks being completed at Watson Trail Park:
  - Asphalt pavement work is still being reviewed.
  - New playground equipment starts installation next week.
- Aquatic Facility is only open for water aerobics and riverwalk – the last final day is September 17<sup>th</sup> (Dog Splash).

**Athletic Fields**

- Fields look great – season is underway – playing Sunday – Thursday.

**Gempp**

- Regular Maintenance.
- Removing fallen trees
- Installing new signage

**Lynstone Park**

- General maintenance (trash, mulching, etc)
- New shelter is up – looks great
- Mulching area

**Special Events & Recreation Activities**

- Fishing Derby – 6 -7:30, September 7<sup>th</sup>
- Sunset Serenade – 5 -7pm, September 11<sup>th</sup> – Ambassadors of Swing
- Electronic Recycling – 12 -5pm, September 15<sup>th</sup>
- Dog Splash – September 16<sup>th</sup> (6-8pm) and September 17<sup>th</sup> (10 –noon)
- Area wide garage sale – September 17<sup>th</sup> starts at 8am
- Sunset Serenade – 5-7pm, September 18<sup>th</sup> – Crucial Roots
- Sunset Serenade – 5-7pm – Shadow Play
-

9/8/2016

## Uncollected License Fees

### Business License fees owed for Square Foot, Home Occupation and Units businesses

<u>Total License Fees</u>	<u>Business Type</u>	<u># Owed</u>	<u>Total owed</u>
\$249,408.62	S	0 of 242	\$0.00
\$1,722.60	H	2 of 41	\$285.00
\$8,280.00	U	0 of 4	<u>\$0.00</u>
<b><u>\$259,411.22</u></b>			<b>\$285.00</b>

### GROSS RECEIPTS BUSINESSES

Total number of businesses	<u>160</u>
Number of businesses 30 days in arrears	3
Number of businesses 60 days in arrears	1
Number of businesses 90 days + in arrears	1

\*Gross receipts payments fluctuate on a daily basis

**CITY OF SUNSET HILLS MUNICIPAL COURT  
SUMMARY OF FINE AND COST  
MONTH OF AUGUST 2016**

<u>DEPOSIT DATE</u>	<u>CVS</u>	<u>WSF</u>	<u>POST</u>	<u>CT</u>	<u>PD</u>	<u>ISF</u>	<u>CVC</u>	<u>TOTAL DEPOSIT</u>
8/4/2016	149.73	42.00	21.00	3,092.00	42.00	42.00	7.77	3,396.50
8/4/2016	0.00	0.00	0.00	850.00	0.00	0.00	0.00	850.00
8/9/2016	185.38	52.00	26.00	3,130.50	52.00	52.00	9.62	3,507.50
8/11/2016	249.55	70.00	35.00	4,281.00	70.00	70.00	12.95	4,788.50
8/11/2016	171.12	48.00	24.00	2,511.00	48.00	48.00	8.88	2,859.00
8/12/2016	206.77	58.00	29.00	2,390.00	58.00	58.00	10.73	2,810.50
8/18/2016	221.03	62.00	31.00	5,175.00	62.00	62.00	11.47	5,624.50
8/22/2016	171.12	48.00	24.00	3,672.50	48.00	48.00	8.88	4,020.50
8/25/2016	85.56	24.00	12.00	1,942.00	24.00	24.00	4.44	2,116.00
8/30/2016	92.69	26.00	13.50	1,545.50	28.00	28.00	4.81	1,738.50
	1,532.95	430.00	215.50	28,589.50	432.00	432.00	79.55	

**TOTAL FINE, COURT COSTS AND FEES COLLECTED FOR FEBRUARY 2015**

**\$ 31,711.50**

**MUNICIPAL DIVISION SUMMARY REPORTING FORM**

Refer to instructions for directions and term definitions. Complete a report each month even if there has not been any court activity.

<b>I. COURT INFORMATION</b>		Contact information same as last report <input checked="" type="checkbox"/>	<b>Reporting Period: 08/01/2016 to 08/31/2016</b>	
Municipality: <b>Sunset Hills Municipal Court</b>		Software Vendor: REJIS	County: St. Louis County      Circuit: 21st.	
Mailing Address: 3939 S Lindbergh		Fax Number: (314) 849-8110		
Physical Address: 3939 S Lindbergh		E-mail Address: <b>Clay@Sunset-hills.com</b> iNotes: [ ]		
Telephone Number: (314) 849-3402		Prosecuting Attorney: Robert Edward Jones		
Prepared by: <b>CLAY</b>				
Municipal Judge(s): W L. Hetlage				

<b>II. MONTHLY CASELOAD INFORMATION</b>	<b>Alcohol and Drug Related Traffic</b>	<b>Other Traffic</b>	<b>Non-Traffic Ordinance</b>
A. Cases (Citations/Informations) Pending at start of month	50	2,060	251
B. Cases (Citations/Informations) Filed	6	370	5
C. Cases (Citations/Informations) Disposed			
1. Jury Trial (Springfield, Jefferson & St. Louis County only)	0	0	0
2. Court/Bench Trial - Guilty	0	1	0
3. Court/Bench Trial - Not Guilty	0	0	0
4. Plea of Guilty in Court	6	210	19
5. Violations Bureau Citations and Bond Forfeitures by Court Order (as payment of fines/costs)	0	0	0
6. Dismissed by Court	0	47	1
7. Nolle Prosequi	0	13	1
8. Certified for Jury Trial (not heard in Municipal Div.)	1	5	0
9. TOTAL CASE DISPOSITIONS	7	276	21
D. Cases (Citations/Informations) Pending End of Month (A + B - C9)	49	2,154	235
E. Trial De Novo and/or Appeal Applications Filed	0	0	0

<b>III. WARRANT INFORMATION (Pre and Post Disposition)</b>		<b>IV. PARKING TICKETS</b>	
1. # Issued during reporting period	108	# Issued	<input type="text"/>
2. #Served/Withdrawn during reporting period	59	<input checked="" type="checkbox"/> Court staff does not process parking tickets	
3. # Outstanding at end of reporting period (only required for June reporting)	1,041		

<b>V. NET DISBURSEMENTS</b>			
Fines	\$23,980.00	Restitution	\$0.00
Clerk/Court Fee (Costs)	\$2,658.00	Parking Ticket Revenue (including penalties)	<input type="text"/>
Judicial Education Fee (JEF)	\$0.00	Bond Forfeitures (paid to city)	\$850.00
<input checked="" type="checkbox"/> Court does not retain funds for JEF		Bond Refunds:	\$1,250.00
Peace Officer Standards and Training (POST) Commission Surcharge	\$220.50	Total Other Disbursements:	\$1,030.40
Crime Victims Compensation (CVC) Fund Surcharge	\$1,568.60		
Law Enforcement Training (LET) Fund Surcharge	\$442.00		
Domestic Violence Shelter Surcharge	\$440.00		
Inmate Prisoner Detainee Security Fund Surcharge	\$442.00		
Sheriffs' Retirement Fund Surcharge	\$0.00	Total Disbursements:	\$32,881.50

### MUNICIPAL DIVISION SUMMARY REPORTING FORM

<b>Court Information</b>	<b>Municipality: Sunset Hills Municipal Court</b>	<b>Reporting Period: 08/01/2016 - 08/31/2016</b>
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#### Supplemental

Total Other Disbursements. Enter additional surcharges and/or fees disbursed by the court not listed on the MUNICIPAL DIVISION SUMMARY REPORTING FORM. Use additional forms if necessary and enter the total on the Total Other Disbursements line on the MUNICIPAL DIVISION SUMMARY REPORTING FORM. (Examples include, but are not limited to, arrest costs, witness fees, and board bill/jail costs.)

Other Disbursements		\$ Amount
Crime Victim Fund City		\$81.40
Special Deterrent		\$300.00
Failure to appear letter fee		\$5.00
Recoupment		\$619.00
Warrant Fee		\$25.00
Total Other Disbursements		\$1,030.40
Include this total amount under Total Other Disbursements on Municipal Division Summary Reporting Form		

**BILL NO. 22**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE ESTABLISHING THE ANNUAL RATE OF TAX LEVY FOR THE YEAR OF 2016, ON ALL PROPERTY WITHIN THE CITY OF SUNSET HILLS, MISSOURI.**

WHEREAS, pursuant to published notice, a Public Hearing was held by the Board of Aldermen on the 13TH of September 2016, relative to the establishment of the 2016 annual rate of Tax Levy, at which hearing all parties in interest and citizens had an opportunity to be heard;

WHEREAS, it is the intent of the City of Sunset Hills to levy property taxes at rates which are equal to the tax rate ceiling for each class of property.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN FOR THE CITY OF SUNSET HILLS, MISSOURI, AS FOLLOWS:

Section One. Property Tax for General Revenue.

There is hereby levied on all property (real, personal and mixed) within the corporate limits of the City of Sunset Hills, Missouri, a tax rate for general municipal purposes as follows:

- A. There is hereby levied upon all residential property subject to taxation in the City of Sunset Hills, Missouri, an ad valorem tax rate in the amount equal to the tax rate ceiling as shown on the State Auditor's Pro Forma for 2016 on the one hundred dollars (\$100) assessed valuation as shown on the assessment books of St. Louis County, as converted and amended by the Board of Equalization and certified to by the County Clerk. (This amount has been preliminarily calculated at .055, but, it is the intent of the Board to levy the tax rate at the tax rate ceiling).
  
- C. There is hereby levied upon all agricultural property subject to taxation in the City of Sunset Hills, Missouri, an ad valorem tax rate in the amount equal to the tax rate ceiling as shown on the State Auditor's Pro Forma for 2016 on the one hundred dollars (\$100) assessed valuation as shown on the assessment books of St. Louis County, as converted and amended by the Board of Equalization and certified to by the County Clerk. (This amount has been preliminarily calculated at .056, but, it is the intent of the Board to levy the tax rate at the tax rate ceiling).

- C. There is hereby levied upon all commercial property subject to taxation in the City of Sunset Hills, Missouri, an ad valorem tax rate in the amount equal to the tax rate ceiling as shown on the State Auditor's Pro Forma for 2016 on the one hundred dollars (\$100) assessed valuation as shown on the assessment books of St. Louis County, as converted and amended by the Board of Equalization and certified to by the County Clerk. (This amount has been preliminarily calculated at .054, but, it is the intent of the Board to levy the tax rate at the tax rate ceiling).
  
- D. There is hereby levied upon all personal property subject to taxation in the City of Sunset Hills, Missouri, an ad valorem tax rate in the amount equal to the tax rate ceiling as shown on the State Auditor's Pro Forma for 2016 on the one hundred dollars (\$100) assessed valuation as shown on the assessment books of St. Louis County, as converted and amended by the Board of Equalization and certified to by the County Clerk. (This amount has been preliminarily calculated at .060, but, it is the intent of the Board to levy the tax rate at the tax rate ceiling).

Section 2:

It is the intention of the Board to levy the maximum allowable tax rate for each of categories of tax noted in Section 1 of this Ordinance and on each subclass of property noted therein.

Section 3:

The Clerk and Collector of St. Louis County, Missouri, and the Revenue Department thereof, are hereby authorized to extend on the books of the Collector the amount of the taxes due and collectable according to the rate hereby levied on all property (real, personal and mixed) within the corporate limits of the City of Sunset Hills, Missouri, estimated to be as follows:

Real Estate	
(a) Residential	\$121,379
(b) Commercial	\$ 51,153
(c) Agricultural	\$ 69
Personal Property	\$ 27,308

SECTION 4: This ordinance shall take effect immediately upon its passage and approval.

PASSED THIS 13TH DAY OF SEPTEMBER, 2016.

\_\_\_\_\_  
MAYOR

APPROVED THIS 13TH DAY OF SEPTEMBER, 2016.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK/CITY ADMINISTRATOR

**BILL NO. 23**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE REPEALING CHAPTER 2, ARTICLE VIII, SECTIONS 2-231 THROUGH 2-232 OF THE CODE TO ELIMINATE THE PERSONNEL COMMITTEE.**

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF SUNSET HILLS, MISSOURI, AS FOLLOWS:

Section 1: Chapter 2, Article VIII, Sections 2-231 through 2-232 shall be repealed.

Section 2: The Personnel Committee is hereby dissolved.

Section 3: This Ordinance shall take effect immediately upon its passage and approval.

PASSED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2016.

\_\_\_\_\_  
MAYOR

APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2016.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK/CITY ADMINISTRATOR

**BILL NO. 24**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE REPEALING CHAPTER 2, ARTICLE V, SECTIONS 2-202 THROUGH 2-210 OF THE CODE OF ORDINANCES AND ENACTING NEW SECTIONS IN LIEU THEREOF TO ESTABLISH A PLANNING AND ZONING COMMISSION AND TO PROVIDE FOR ITS COMPOSITION AND DUTIES**

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF SUNSET HILLS, MISSOURI, AS FOLLOWS:

Section 1: The Board of Aldermen established a Zoning Commission in 1957 and amended its composition and duties, most recently in 2002.

Section 2: The Board of Aldermen deems it to be in the best interest of the residents and businesses in the City of Sunset Hills to establish a statutory Planning and Zoning Commission, as provided in Chapter 89 RSMo. and to provide for its composition and duties.

Section 3: Chapter 2, Article V, Sections 2 – 202 through 2 – 210 of the code of ordinances shall be repealed and new sections shall be enacted, as follows:

**ARTICLE V. - PLANNING AND ZONING COMMISSION**

Sec. 2-202. - Created.

There is hereby created a planning and zoning commission for the city, which may also be known as the zoning commission or the commission.

Sec. 2-203. - Composition; terms.

The commission shall consist of 10 members, with 4 members consisting of 1 resident from each ward and 6 members at large, irrespective of ward residence. The members shall be nominated by the mayor and approved by the board of aldermen. Each member shall serve for a three-year term and may be reappointed an indefinite number of times. With respect to the initial appointments, 2 of the ward representatives shall be appointed for a one-year term and 2 shall be appointed for a two-year term. Also, with respect to the initial appointments, 3 of the at large representatives shall be appointed for a one-year term and 3 shall be appointed for a two-year term. Thereafter, all successors shall be appointed for three-year terms.

Sec. 2-204. - Requirements for appointed members.

The members of the commission shall be residents of the city, be at least 21 years of age, and shall hold no other elected or appointed office of the city.

Sec. 2-205. - Chairman and vice chairman/secretary of the commission.

(a) The commission shall elect a chairman and a vice chairman/secretary from among the members by a majority vote of those members constituting a quorum. The term of chairman and vice chairman/secretary shall be for one year, commencing at the June meeting of each year, with

eligibility for re-election. The chairman shall conduct meetings of the commission in accordance with Roberts Rules of Order, and shall forward recommendations of the commission to the board of aldermen.

- (b) The vice chairman/secretary shall be the acting chairman in the absence of the duly elected chairman, and shall perform all duties of the chairman for any meeting at which the vice chairman/secretary presides in the absence of the chairman. In the event neither the chairman nor vice chairman/secretary is present, the next senior member of the commission in terms of time as a member of the commission shall chair the meeting.
- (c) All members of the commission shall serve without compensation.

Sec. 2-206. - Meeting dates and times.

The commission shall meet on the first Wednesday of each month, or as otherwise agreed. Meetings shall begin at 7:00 p.m.

Sec. 2-207. - Jurisdiction and duties generally.

The commission shall have such jurisdiction and all of the powers and duties as may be provided by ordinance or state law.

Sec. 2-208. - Commission to make studies and recommendations.

- (a) The commission is authorized and directed to make studies and recommendations to the board of aldermen regarding the various original districts and appropriate regulations to be enforced therein, including regulations and restrictions as to the height, number of stories and size of buildings and other structures; the percentage of lot that may be occupied; the size of yards, courts and other open spaces; the density of population; the preservation of features of historical significance; and the location and use of buildings, structures and land for trade, industry, residence or other purposes.
- (b) Recommendations made by the commission shall be made upon review of a comprehensive plan and designed to lessen congestion in the streets; to secure safety from fire, panic and other dangers; to promote health and the general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to preserve features of historical significance; and to facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements.
- (c) Recommendations shall be made with reasonable consideration, among other things, to the character of the district and its peculiar suitability for particular uses, and with a view to conserving the values of buildings and encouraging the most appropriate use of land throughout the city.
- (d) The zoning commission shall hear applications for amendments, modifications or revisions of the zoning ordinance of the city and shall forward such application to the board of aldermen with its recommendations thereon.

Sec. 2-209. - Commission approval of plats—Effects.

The approval of a plat by the commission or the board of aldermen does not constitute or affect an acceptance by the City of Sunset Hills or of the public of the dedication to public use of any street or other ground shown upon the plat.

Section 4: This Ordinance shall take effect immediately upon its passage and approval.

PASSED THIS DAY OF \_\_\_\_\_, 2016.

\_\_\_\_\_  
MAYOR

APPROVED THIS DAY OF \_\_\_\_\_, 2016.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK/CITY ADMINISTRATOR

**BILL NO. 25**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE REPEALING CHAPTER 2, SECTION 2-81 OF THE CODE TO ELIMINATE THE POSITION OF DEPUTY CITY CLERK/FINANCE OFFICER.**

WHEREAS, the board of aldermen adopted Ordinance Number 1992 on December 8, 2015 creating the position of the city clerk/city administrator and defining the duties thereof; and

WHEREAS, the board of aldermen hired and appointed a full-time finance director, so the position of deputy city clerk/finance officer is no longer necessary.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF SUNSET HILLS, MISSOURI, AS FOLLOWS:

Section 1: Chapter 2, Section 2-81 shall be repealed.

Section 2: This Ordinance shall take effect immediately upon its passage and approval.

PASSED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2016.

\_\_\_\_\_  
MAYOR

APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2016.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK/CITY ADMINISTRATOR

**RESOLUTION NO. 394**

**RESOLUTION APPROVING A CONTRACT WITH UNITED HEALTHCARE FOR EMPLOYEE MEDICAL INSURANCE AND AUTHORIZING THE MAYOR TO EXECUTE THE SAME ON BEHALF OF THE CITY OF SUNSET HILLS**

**WHEREAS**, the City’s current contract with Coventry for employee medical insurance ends at the end of September 2016; and

**WHEREAS**, the City has contracted with JW Terrill to serve as the City’s benefits broker to solicit bids for employee medical insurance; and

**WHEREAS**, JW Terrill solicited bids from qualified medical insurance carriers; and

**WHEREAS**, the Board of Aldermen has determined that it is appropriate to accept the proposal presented by United Healthcare to provide employee medical insurance for the plan year of October 1<sup>st</sup>, 2016 through September 30<sup>th</sup>, 2017. The cost of the insurance is as follows:

	HSA Plan	PPO Plan
Employee	\$333.69	\$432.21
Employee + Spouse	\$667.41	\$864.46
Employee + Child(ren)	\$584.01	\$756.44
Family	\$917.69	\$1,188.64

Sufficient funds have been included in the approved 2016 budget for this contract.

**NOW, THEREFORE, BE IT RESOLVED THAT THE BOARD OF ALDERMEN HEREBY APPROVES A CONTRACT WITH UNITED HEALTHCARE AND AUTHORIZES THE MAYOR TO EXECUTE THE SAME ON BEHALF OF THE CITY OF SUNSET HILLS.**

**PASSED** by the Board of Aldermen this 13th day of September, 2016.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Administrator/City Clerk



## MEMORANDUM

To: Mayor Pat Fribis and the Board of Aldermen

From: Eric Serman, City Administrator

Date: September 7, 2016

Re: Medical Insurance Renewal

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The City's medical insurance plan renews on October 1<sup>st</sup>. Currently we offer two plans to employees through Coventry Health Care – an HSA plan and a PPO plan. Coventry was recently bought out by Aetna. As a result, the plans we currently offer are going away, and would be replaced by similar plans through Aetna's coverage.

The City's benefits broker, JW Terrill, bid out our medical insurance plans. The responses to the bid are enclosed in your packet. Our claims history has decreased over the past several years, resulting in the majority of bids for our coverage coming in under what we are currently paying.

As you can see in the attached bids, none of the proposed new plans align exactly with the plans that we currently have. In each case, there are slightly different deductibles, out of pocket maximums, coinsurance, copays, prescription costs, etc. As each carrier has predefined plans that they file with the State of Missouri, it is not possible to tweak any of the proposed plans in order to exactly mirror what we have currently.

After an analysis of the proposed plans, I am recommending that we switch our coverage to United Healthcare, to their ABBJ HSA plan and E96 PPO plan. This would result in a 33% savings on our premiums while retaining comparable coverage for employees.

### Cost of Coverage

Our current cost breakdown per employee per month for medical insurance is as follows

	HSA Plan	PPO Plan
Employee	\$571.43	\$609.78
Employee + Spouse	\$1,142.85	\$1,219.62
Employee + Child(ren)	\$1,000.06	\$1,067.22
Family	\$1,571.42	\$1,676.98

Under the recommended plans with United Healthcare, our new cost breakdown would be as follows:

	HSA Plan	PPO Plan
Employee	\$333.69	\$432.21
Employee + Spouse	\$667.41	\$864.46
Employee + Child(ren)	\$584.01	\$756.44
Family	\$917.69	\$1,188.64

We currently have 24 employees enrolled in the HSA plan and 41 employees enrolled in the PPO plan. Based upon our current enrollments, our current premium with Coventry is approximately \$725,490 annually. However, we also recoup approximately \$145,000 in premiums from the employees. Therefore the net cost to the City is currently approximately \$580,000.

With the switch to United Healthcare our annual premium will drop to \$485,550.24 annually. Factoring in a reduction to the employee portions of the premiums by 33%, we would recoup approximately \$95,000 in premiums from the employees. Our net cost of premiums under the new plan would be approximately \$389,000 which would be a significant decrease from the current plan. A breakdown of current and proposed employee premiums is included in your packet.

### **Plan Changes**

The changes to the plans would generally be minor in nature. For the PPO plan there would be slightly lower copays for office visits, and slightly higher copays for emergency room and/or urgent care visits. There is a slight increase in some prescription costs, primarily via mail order. The coinsurance – the amount the plan pays after you’ve hit your deductible – would increase from 90% to 100% which is a positive.

The changes to the HSA plan are still minor but more significant than those to the PPO plan. For the HSA plan, the deductible would decrease slightly from \$2,750 for an individual and \$5,500 for a family, to \$2,600 and \$5,200 respectively. However, the out of pocket maximum would increase from \$3,500 to \$6,250 for an individual and from \$7,000 to \$12,500 for a family. This number is a significant increase but it is very rare for someone to come close to their out of pocket maximum under this type of plan.

The biggest change to the HSA plan would be the introduction of co-pays, even after hitting the deductible. The list of copays is in the plan description in your packet. Like the PPO plan there is a slight increase in some prescription costs, primarily via mail order.

### **Other Costs**

The City currently pays a portion of the deductible for the employees for the PPO plan, \$750 per individual and \$1,500 per family. Due to the fact that the PPO plan is remaining largely unchanged while the employee portion of the premium will be decreasing, I am not recommending any changes to this contribution.

The deductible reimbursement is currently handled by Coventry as a part of administration of the health insurance plan. Unfortunately United Healthcare does not offer an equivalent service. Therefore, we will change management of the deductible reimbursement to JW Terrill at a cost of approximately \$2,858 annually.

For the HSA plan, the City currently deposits \$1,000 into an HSA account annually for an individual, and \$2,000 for a family. I am recommending that we raise the amount contributed to the HSA account to \$1,500 for an individual and \$3,000 for a family. Based on current usage, this would cost the City approximately \$17,500 per year. This would more than be made up for by our overall savings in premium, while also helping to offset some of the minor negative changes to the HSA plan. Adding this extra incentive may also help encourage some employees to try the HSA plan.

Overall the City is in the fortunate position of having several years of good claims experience that have resulted in lower premiums for the upcoming plan year. While I do anticipate premiums will start to rise again next year, by adopting these recommendations the City stands to save approximately \$170,000 on medical insurance in the upcoming year, while maintaining two reasonable and affordable plan options for our employees.

# City of Sunset Hills

## Medical Comparison

Effective Date:

10/01/2016

Current  
Coventry

PPO QHDHP

PPO

Renewal  
Aetna/Coventry

PPO QHDHP

PPO

QA2750E w/ EP515 Rx 100% / 80%  
B2000-14 w/ P3D28 Rx 90% / 70%

PPO 2600 100/70 100% / 70%

PPO 2500 80/50 80% / 50%

AM Best Rating

# of Employees

A

A

ENROLLMENT/PREMIUMS

	H.S.A.	PPO	H.S.A.	PPO
Employee	15	20		
Employee/Spouse	3	4		
Employee/Child(ren)	4	7		
Family	2	10		
Monthly Cost	24	41		
<b>MONTHLY TOTAL (Including ACA &amp; Service Fees)</b>			\$60,457.50	\$41,314.42
<b>ANNUAL TOTAL (Including ACA &amp; Service Fees)</b>			\$725,490.00	\$58,647.00
<b>Difference</b>				\$703,764.00 -3.0%

### MEDICAL BENEFITS

	H.S.A.	PPO	H.S.A.	PPO
Deductible Single/Family	\$2,750/\$5,500	\$2,000/\$4,000	\$2,600/\$5,200	\$2,500/\$5,000
Deductible Embedded/Non-Embedded	Embedded	Embedded	Embedded	Embedded
Out-of-Pocket Max Single/Family	\$3,500/\$7,000	\$4,000/\$8,000	\$5,200 / \$10,400 \$10,000 / \$20,000	\$6,600/\$13,200
<b>In Network:</b>				
Primary Care Physician Office Visit	Deductible	\$30	Deductible	\$25
Specialist Office Visit	Deductible	\$60	Deductible	\$50
Emergency Room	Deductible	\$250	Deductible	Deductible then \$200
Urgent Care	Deductible	\$75	Deductible	\$50
Inpatient Hospital	Deductible	Deductible then 10%	Deductible	Deductible then 20%
Outpatient Surgery	Deductible	Deductible then 10%	Deductible	Deductible then 20%
High Technology Services	Deductible	Deductible then 10%	Deductible	Deductible then 20%
<b>Non Network:</b>				
Deductible Single/Family	\$5,500/\$11,000	\$4,000/\$8,000	\$5,200 / \$10,400	\$7,500 / \$15,000
Out-of-Pocket Max Single/Family	\$10,000/\$20,000	\$7,000/\$14,000	\$10,000 / \$20,000	\$13,200 / \$26,400
<b>Prescription Drugs</b>				
	<b>H.S.A.</b>	<b>PPO</b>	<b>H.S.A.</b>	<b>PPO</b>
Deductible	Retail \$2,750 / Mail Order \$5,500	Retail N/A / Mail Order N/A	Retail \$2,600 / Mail Order \$5,200	Retail N/A / Mail Order \$6/\$30
Tier 1A/Tier 1	\$12	\$24	\$15	\$30
Tier 2	\$30	\$60	\$40	\$80
Tier 3	\$55	\$110	\$65	\$130
Tier 4	N/A	N/A	N/A	N/A
Tier 5	N/A	N/A	N/A	N/A
<b>Notes:</b>	HRA Administration - Aetna/Coventry Does not include commission due to IWT Consulting/\$1,950 per month			
	HRA Administration - Aetna/Coventry Includes \$31 PEPM commission			

This proposal does not bind coverage, all rates and factors are subject to final underwriting. Carrier reserves the right to recalculate the rates and factors or rescind the proposal in entirety based on all information submitted during the proposal process and final disclosure up to the effective/renewal date. (Final disclosure includes but is not limited to: claims experience, large claimant data, enrollment, and other exposures.)

# City of Sunset Hills

## Medical Comparison

Effective Date:

10/01/2016

AM Best Rating

Fully Insured Plan

# of Employees

H.S.A. PPO

ENROLLMENT/PREMIUMS

Employee	15	20
Employee/Spouse	3	4
Employee/Child(ren)	4	7
Family	2	10
Monthly Cost	24	41

MONTHLY TOTAL (Including ACA & Service Fees)

ANNUAL TOTAL (Including ACA & Service Fees)

Difference

### MEDICAL BENEFITS

Deductible Single/Family

Deductible Embedded/Non-Embedded

Out-of-Pocket Max Single/Family

In Network:

Primary Care Physician Office Visit

Specialist Office Visit

Emergency Room

Urgent Care

Inpatient Hospital

Outpatient Surgery

High Technology Services

Non Network:

Deductible Single/Family

Out-of-Pocket Max Single/Family

Prescription Drugs

Deductible

Tier 1A/Tier 1

Tier 2

Tier 3

Tier 4

Tier 5

Notes:

Underwritten Rates  
Option  
UnitedHealthcare

Choice Plus

AJU Rx 2V-H.S.A.  
100%/70%

A

Choice Plus

E96 w/ Rx IU  
100%/70%

Underwritten Rates  
Option  
UnitedHealthcare

Choice Plus

ABB1 Rx 2V-H.S.A.  
100%/70%

A

Choice Plus

E96 w/ Rx IU  
100%/70%

H.S.A. PPO

\$380.69

\$761.42

\$666.27

\$1,046.95

\$12,753.59

\$42,037.11

\$504,445.32

-30.5%

\$2,000/\$4,000

Embedded

\$4,000/\$8,000

\$25

\$50

\$300

\$100

Deductible

Deductible

Deductible

Deductible

\$4,500/\$9,000

\$12,500/\$25,000

\$6,000/\$12,000

\$8,000/\$16,000

H.S.A. PPO

Retail Mail Order

\$1,500/\$3,000

\$25

\$35

\$60

N/A

N/A

N/A

N/A

\$15

\$40

\$75

N/A

N/A

\$37.50

\$100

\$187.50

H.S.A. PPO

\$333.69

\$667.41

\$584.01

\$917.69

\$11,179.00

\$40,462.52

\$485,550.24

-33.1%

\$2,600/\$5,200

Embedded

\$6,250/\$12,500

\$25

\$50

\$300

\$100

Deductible

Deductible

Deductible

Deductible

\$7,500/\$15,000

\$12,500/\$25,000

\$6,000/\$12,000

\$8,000/\$16,000

H.S.A. PPO

Retail Mail Order

\$2,600/\$5,200

\$25

\$35

\$60

N/A

N/A

N/A

\$15

\$40

\$75

N/A

N/A

\$37.50

\$100

\$187.50

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# City of Sunset Hills

## Medical Comparison

Effective Date:

10/01/2016

AM Best Rating

Fully Insured Plan

ENROLLMENT/PREMIUMS

	H.S.A.	PPO
Employee	15	20
Employee/Spouse	3	4
Employee/Child(ren)	4	7
Family	2	10
Monthly Cost	24	41

MONTHLY TOTAL (Including ACA & Service Fees)

ANNUAL TOTAL (Including ACA & Service Fees)

Difference

### MEDICAL BENEFITS

	# of Employees		Renewal Option		Renewal Option	
	H.S.A.	PPO	A		A	
			PPO QHDHP	PPO	PPO QHDHP	PPO
			Aetna/Coverity	Aetna/Coverity	Aetna/Coverity	Aetna/Coverity
			100% / 70%	100% / 70%	100% / 70%	100% / 70%
			\$758,796.00	\$758,796.00	\$773,280.00	\$773,280.00
			4.6%	4.6%	6.6%	6.6%
Deductible Single/Family	\$2,600/\$5,200	\$1,500/\$3,000	Embedded	Embedded	Embedded	Embedded
Deductible Embedded/Non-Embedded	Embedded	Embedded	Embedded	Embedded	Embedded	Embedded
Out-of-Pocket Max Single/Family	\$5,000/\$10,000	\$3,000/\$6,000	Deductible then \$250	Deductible then \$250	Deductible then \$250	Deductible then \$250
<b>In Network:</b>						
Primary Care Physician Office Visit	Deductible	\$25	Deductible	\$25	Deductible	\$25
Specialist Office Visit	Deductible	\$75	Deductible	\$75	Deductible	\$50
Emergency Room	Deductible	Deductible then \$250	Deductible	Deductible then \$250	Deductible	Deductible
Urgent Care	Deductible	\$75	Deductible	\$75	Deductible	\$100
Inpatient Hospital	Deductible	Deductible	Deductible	Deductible	Deductible	Deductible
Outpatient Surgery	Deductible	Deductible	Deductible	Deductible	Deductible	Deductible
High Technology Services	Deductible	Deductible then \$250	Deductible	Deductible then \$250	Deductible	Deductible
<b>Non Network:</b>						
Deductible Single/Family	\$5,200 / \$10,400	\$3,000/\$6,000	Deductible	Deductible	Deductible	Deductible
Out-of-Pocket Max Single/Family	\$10,000 / \$20,000	\$6,000/\$12,000	Deductible	Deductible	Deductible	Deductible
<b>Prescription Drugs</b>						
	H.S.A.	PPO	H.S.A.	PPO	H.S.A.	PPO
	Retail	Mail Order	Retail	Mail Order	Retail	Mail Order
Deductible	\$2,600 / \$5,200	\$10/\$30	\$3/\$10	N/A	\$2,600 / \$5,200	\$10/\$30
Tier 1A/Tier 1	\$5/\$15	\$50	\$45	\$112.50	\$5/\$15	\$6/\$30
Tier 2	\$75	\$125	\$75	\$187.50	\$50	\$100
Tier 3		\$225			\$75	\$225
Tier 4		N/A		N/A		N/A
Tier 5		N/A		N/A		N/A
Notes:	30% up to \$250		30% up to \$250		30% up to \$250	
	40% up to \$500		40% up to \$500		40% up to \$500	
	HRA Administration - Aetna/Coverity		HRA Administration - Aetna/Coverity		HRA Administration - Aetna/Coverity	
	Includes \$31 PPM commission		Includes \$31 PPM commission		Includes \$31 PPM commission	

Proposal does not bind coverage, all rates and factors are subject to final underwriting. Carriers reserve the right to recalculate the rates and factors or rescind the proposal in entirety based on all information submitted during the proposal process and final disclosure up to the effective/renewal date. (Final disclosure includes, but is not limited to: carriers' experience, large claimant data, enrollment, and other exposures.)



OCTOBER 1, 2016 HEALTH AND DENTAL INSURANCE RATES

**United Healthcare - UHC - Monthly Premium**  
(Current plan cycle is October 1, 2016 – September 30, 2017)

<u>HSA Plan<sup>1</sup></u>	<u>Total Premium</u>	<u>City Portion</u>	<u>Employee Portion (Smoker)<sup>2</sup></u>
Employee	\$363.69	\$328.78	\$34.91
Employee/Spouse	\$697.41	\$510.09	\$187.32
Employee/Child(ren)	\$614.01	\$464.56	\$149.45
Family	\$947.69	\$647.08	\$300.61

<sup>1</sup>For HSA Plans the City will contribute the following annual amounts to the employee / participant Health Savings Accounts: Employee only plan: \$1,500; All other plans: \$3,000

<sup>2</sup>The Employee portion for Non-Smokers is \$30 less than the amounts stated above.

<u>HRA Plan</u>	<u>Total Premium</u>	<u>City Portion</u>	<u>Employee Portion(Smoker)<sup>2</sup></u>
Employee	\$462.21	\$419.13	\$43.08
Employee/Spouse	\$894.46	\$655.19	\$239.27
Employee/Child(ren)	\$786.44	\$596.04	\$190.40
Family	\$1,218.64	\$833.06	\$385.58

<sup>2</sup>The Employee portion for Non-Smokers is \$30 less than the amounts stated above.

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**Delta Dental Monthly Premium**  
(Current plan cycle is June 1, 2016 – September 30, 2017)

<u>Delta Dental</u>	<u>Total Premium</u>	<u>City Portion</u>	<u>Employee Portion</u>
Employee	\$ 35.12	\$ 35.12	\$ 0
Family	\$ 95.85	\$ 35.12	\$ 60.73

JUNE 1, 2015 HEALTH AND DENTAL INSURANCE RENEWAL

**Coventry (Monthly Premium)**

<b>HSA Plan</b>	<u>Total Premium</u>	<u>City Portion</u>	<u>Employee Portion</u>
Employee	\$ 620.00	\$ 560.50	\$ 59.50
Employee/Spouse	\$ 1,209.99	\$ 885.00	\$ 325.00
Employee/Child(ren)	\$1,062.56	\$ 803.91	\$ 258.65
Family	\$1,652.49	\$1,128.37	\$ 524.12

<b>HRA Plan</b>	<u>Total Premium</u>	<u>City Portion</u>	<u>Employee Portion</u>
Employee	\$ 659.61	\$ 598.13	\$ 61.48
Employee/Spouse	\$1,289.26	\$ 944.43	\$ 344.82
Employee/Child(ren)	\$1,131.90	\$ 857.89	\$ 274.01
Family	\$1,761.48	\$1,204.16	\$ 557.32

**Delta Dental (Monthly Premium)**

<b>Delta Dental</b>	<u>Total Premium</u>	<u>City Portion</u>	<u>Employee Portion</u>
Employee	\$ 35.12	\$ 35.12	\$ 0
Family	\$ 95.85	\$ 35.12	\$ 60.73

AGENDA  
BOARD OF ALDERMEN

A closed meeting of the Sunset Hills Board of Aldermen will be held Tuesday, October 11 and October 25, 2016, in the Conference Room at Sunset Hills City Hall, 3939 South Lindbergh Boulevard, immediately following adjournment of the regular meeting which commences at 7:00 p.m. There will also be closed votes, if any, and a closed record of said meeting.

The subject matters of said meeting are (a) litigation in which the City is a party or in which the City is contemplated as a party, (b) hiring, firing, disciplining or promoting of particular employees, (c) leasing, purchase or sale of real estate, and d) proposals and negotiations for contracts, which are the subject matters of closed meetings, votes and records under R.S.Mo. 610.021(1), (2), (3) and (12).